

1

1

2

3

4 SCRANTON CITY COUNCIL MEETING

5

6

7

8 Held:

9

10 Thursday, May 24, 2007

11

12 Scranton City Council Chambers

13 340 N. Washington Avenue

14 Scranton, Pennsylvania

15

16

17

18

19

20

21

22

23

24

25

.

2

1 COUNCIL MEMBERS:

2 JUDY GATELLI (Not Present)

3 JANET EVANS

4 WILLIAM COURTRIGHT

5 SHERRY FANUCCI

6 JOHN MINORA, SOLICITOR

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

.

3

1 (Pledge of Allegiance and moment of reflection

2 observed.)

3 MR. COURTRIGHT: Roll call.

4 MS. GARVEY: Ms. Evans?

5 MRS. EVANS: Here.

6 MS. GARVEY: Ms. Fanucci?

7 MS. FANUCCI: Here.

8 MS. GARVEY: Mr. McGoff?

9 MR. MCGOFF: Here.

10 MS. GARVEY: Mr. Courtright?

11 MR. COURTRIGHT: Here.

12 MS. GARVEY: Mrs. Gatelli?

13 MR. COURTRIGHT: Dispense with

14 reading of the minutes.

15 MS. GARVEY: THIRD ORDER, 3-A,

16 MINUTES OF THE COMPOSITE PENSION BOARD MEETING

17 HELD ON APRIL 25TH, 2007.

18 MR. COURTRIGHT: Are there any

19 comments? If not, received and filed.

20 MS. GARVEY: 3-B - CONTROLLER'S

21 REPORT FOR THE MONTH ENDING APRIL 30TH 2007.

22 MR. COURTRIGHT: Are there comments?

23 If not, received and filed.

24 MS. GARVEY: 3-C - MINUTES OF THE

25 SCRANTON LACKAWANNA HEALTH AND WELFARE

.

4

1 AUTHORITY MEETING HELD ON APRIL 19, 2007.

2 MR. COURTRIGHT: Are there any

3 comments? If not, received and filed.

4 MS. GARVEY: 3-D - MINUTES OF THE

5 SCRANTON LACKAWANNA HEALTH AND WELFARE

6 AUTHORITY SPECIAL MEETING HELD ON APRIL 26TH,

7 2007.

8 MR. COURTRIGHT: Are there any

9 comments? If not, received and filed.

10 MS. GARVEY: 3-E - MINUTES OF THE

11 NON-UNIFORM PENSION BOARD MEETING HELD ON APRIL

12 25TH, 2007.

13 MR. COURTRIGHT: Are there any

14 comments? If not, received and filed.

15 MS. GARVEY: 3-F - AGENDA FOR THE

16 NON-UNIFORM PENSION BOARD MEETING HELD ON MAY

17 23RD, 2007.

18 MR. COURTRIGHT: Any there any

19 comments? If not, received and filed.

20 MS. GARVEY: That's all there is for

21 third order.

22 MR. COURTRIGHT: Fourth order.

23 MS. GARVEY: 4-A MOTIONS.

24 MRS. EVANS: Thank you. Good

25 evening. I will begin with a few

.

5

1 announcements. A fund raiser will be held at

2 Flashbacks in Downtown Scranton, Sunday, May

3 27th. That's this Sunday starting at 8 p.m.

4 There will be a \$5 dollar donation at the door

5 which includes food, dancing and refreshments.

6 The proceeds will be used to defray

7 costs for underprivileged youths to have a free

8 swim this summer at Scranton pools. Also there

9 will be a fund raiser for Jonathan Closs hosted

10 by Scranton at Large on June 23rd from 6 to 9

11 p.m. at Lackawanna College.
12 Tickets are limited and are
13 available for \$15 per person. You may contact
14 Mr. Talimini at 961-6476 to obtain tickets.
15 And I believe he is here this evening. And if
16 anyone would like to purchase some tickets
17 tonight, please do so. Also there will be a
18 benefit in honor of the late Eddie Joyce, who
19 was a Scranton fire fighter on Saturday, Sunday
20 2nd from 6 to 11 p.m. at St. Joe's hall in
21 Minooka.

22 Tickets are \$10 and may be purchased
23 at the door or by contacting to Tim Murray at
24 969-2515. I would also like to thank Mr. Tony
25 Gangemmi, distribution supervisor at
.
6

1 Pennsylvania American Water Company for
2 donating two fire hydrants for the new dog
3 park.

4 Neither will be used for water
5 operations but rather for decorative purposes.

6 MR. McGOFF: Or other water
7 operations.

8 MRS. EVANS: Yes. I also wish to
9 recognize the splendid volunteerism of the
10 Upper Hill Ecumenical Committee who was
11 recently honored by U.S.A. Weekend Magazine for
12 their efforts to feed the poor of our
13 community.

14 If my colleagues agree, I would ask
15 Mrs. Garvey to prepare a proclamation to honor
16 the Upper Hill Ecumenical Committee. In order
17 to facilitate the placement of legislation to
18 provide funding for snow removal costs on the
19 agenda, I move that Mr. Kresefski must provide
20 responses to two questions contained in a
21 letter of April 27th, 2007 on or before May
22 30th, 2007.

23 MR. McGOFF: Second.

24 MR. COURTRIGHT: On the question all
25 in favor?

.

7

1 MRS. EVANS: Aye.

2 MS. FANUCCI: Aye.

3 MR. McGOFF: Aye.

4 MR. COURTRIGHT: Aye. Opposed? The

5 Ayes have it.

6 MRS. EVANS: I move Mr. Kresefski,

7 business administrator, provide written

8 responses to the following questions on or

9 before June 6th, 2007:

10 What is the exact dollar amount that

11 remains from the \$10 million that was borrowed

12 in December 2006 and what account in the 2007

13 operating budget line item are these moneys

14 placed in.

15 MS. FANUCCI: Second.

16 MR. COURTRIGHT: On the question,

17 all those in favor?

18 MRS. EVANS: Aye.

19 MS. FANUCCI: Aye.

20 MR. MCGOFF: Aye.

21 MR. COURTRIGHT: Aye. Opposed? The

22 Ayes have it, so ordered.

23 MRS. EVANS: I also received a

24 response from Mr. Parker regarding the Meadow

25 Brook Creek Project concerns of two residents

.

8

1 of Green Ridge Street. If any other problems

2 arise, these residents can contact me directly
3 through my e-mail. Kay, please send a letter
4 to Chief Elliott requesting that a patrol car
5 travel Dickson Avenue daily and would be alert
6 to parking on sidewalks and in yards and trucks
7 exceeding the speed limit as well.
8 Also, please send a memo to Mr.
9 McMullen requesting that speed limit signs
10 would be placed on Dickson Avenue and a letter
11 to Mr. Parker and PennDOT informing them that
12 Daron Northeast located on Dickson Avenue
13 remove the handicapped accessible curb and
14 sidewalk on the corner of Dickson Avenue and
15 Electric Street. Who is responsible to return
16 this corner to its previous condition? Another
17 issue for Mr. Parker that I would like to be
18 included in his correspondence involves the
19 Scranton Rescue Mission, residents of Gordon
20 Avenue report that the D. P. W. collects trash
21 from this business location which was ordered
22 closed.
23 Please update council as soon as
24 possible. Also for Mr. Parker, the 200 block
25 of Wheeler Avenue needs to be paved. We had a

.

9

1 paving program in that area, the 300 through
2 1100 blocks of Wheeler Avenue.

3 MR. COURTRIGHT: Can I interrupt for
4 a second? I checked into that. What happened
5 was they didn't neglect the 200 block of
6 wheeler. The 3, 4 and 5 the gas company did
7 work there. And so they tore up -- so they
8 paved that block. They didn't do any work on
9 the 200, so they didn't pave that block.

10 MRS. EVANS: We still have the 6, 7,
11 8, 9, 10 and 11 that have zero potholes and two
12 with zero cuts. So I do agree with the
13 resident who e-mailed each of us on city
14 council this block has been ignored for too
15 long, and it needs to be placed on the current
16 year's paving list and taking care of this as
17 soon as possible.

18 I learned today -- or rather
19 yesterday that neither Attorney Greco nor Mr.
20 Rinaldi had contacted Mr. Piccolino to arrange
21 a meeting about the Piccolino property on
22 Lackawanna Avenue. Thus, I called the mayor,

23 who was out of town, and left a reminder for
24 him to contact these gentlemen in order to put
25 the Lackawanna Avenue project on the fast
. .
10

1 track, and that's it.

2 MR. COURTRIGHT: Thank you. Ms.

3 Fanucci?

4 MS. FANUCCI: I can actually help
5 out with the 500. I myself was having some
6 problems. It seems to be that the applicant
7 and the people who are doing the application
8 for the project has not submitted the
9 application yet. As far as the state is
10 concerned, the project is not going. There is
11 no project as of right now. They have a plan
12 for a project, but they did not apply for the
13 project.

14 MRS. EVANS: The developer?

15 MS. FANUCCI: The developer. They
16 are doing that as we speak. Until that is
17 finished and until the money is allocated for
18 the project, they aren't doing anything. So
19 that is what I got today. So --

20 MRS. EVANS: What then though would
21 have occurred with the -- I believe it was \$9
22 million that was allocated to the project in
23 2004.

24 MS. FANUCCI: It's still there.

25 Like we said for the city, it's still in
.

11

1 accounts, you know, and held for the project.

2 But it has not been given to the developer yet.

3 MRS. EVANS: Okay. Now, that is

4 certainly all understandable, and I am certain

5 that everything will take a fast track there.

6 But we still have the problem facing Buona

7 Pizza and the eminent domain case that the city

8 is pursuing. And as council has passed a

9 motion months ago now that we would not proceed

10 with any piece of legislation involving any

11 aspect of the 500 block of Lackawanna Avenue

12 project, I think it is imperative that the

13 developer and Attorney Greco and Mr. Piccolino

14 and Attorney Hughes sit down and settle that

15 situation to everyone's satisfaction so that

16 when the time arises hopefully in the near

17 future that this project will find some legs
18 and we're going to be able to assist it because
19 -- otherwise council will not be reviewing
20 anything to do with that project.

21 MS. FANUCCI: Kay, I would like to
22 send a letter to the zoning officer regarding
23 the 400 block of Middle Street. It's near the
24 farmer's market. There's an empty lot down
25 there, and someone purchased the lot and
.
12

1 parking trailers and hitches. And they are
2 doing it in the middle of the night and working
3 during the middle of the night and disturbing a
4 lot of the residents. We want to see what we
5 can do to help them out. Mr. Quinn had sent a
6 -- a lot of questions to be answered for O. E.
7 C. D.

8 I have to say, Ozzie, I have
9 answered a lot of these questions. I have them
10 written out for you and all the answers that
11 you needed. Most of these are something that
12 we address every time we have a loan. What I
13 did was I put -- one of your questions was

14 regarding the income of a person who is hired
15 by the positions that are created for moderate
16 to low income position.

17 When O. E. C. D. gives a grant, the
18 job creation has to go to someone who is
19 moderate to low income. That is the whole
20 reason for the question.

21 MR. QUINN: That's not the question.

22 MR. COURTRIGHT: You have to wait,
23 Ozzie. You got to wait until it's your turn,
24 okay.

25 MS. FANUCCI: What I did was I gave
.

13

1 you the application that the employee has to
2 fill out to state how many hours they work,
3 what their income was, what their income is,
4 where they work and things like that just so
5 you know that is being monitored. And every
6 other question I have answered for you in this
7 packet. So I want to tell you that.

8 And regarding the people who have
9 not paid the loans back with O. E. C. D., we
10 discussed this before. There actually was only

11 one left in the city, and it was Whistles.
12 They have now sat down and tried to work out
13 some type of agreement with O. E. C. D. in
14 paying back the loan. Everyone else has
15 complied, and the money is always paid back.
16 It has always been paid back.
17 So that's a good record as far as
18 I'm concerned. When we are staking in these
19 businesses, they are definitely coming back and
20 helping us out and sticking to the agreement.
21 So let's talk about the smoking ban.
22 I know you're all waiting. Obviously, the
23 mayor has lifted the the smoking ban with the
24 decision of Allegheny County. I want to say
25 that I agree with Mrs. Evans' comments in the
.

14

1 paper today 100 percent. This legislation was
2 not to put forth any ill intent to businesses.
3 In fact, it was to do the opposite. It was to
4 create clean air, a better environment and
5 healthier efforts. I am definitely going to
6 stand behind this -- this legislation because I
7 think the efforts that we put forth in this

8 city have moved our legislators to realize this
9 is something that we are not going to take
10 lightly. We really want this to happen. Four
11 major cities in our Commonwealth have enacted
12 this legislation for themselves to say we want
13 this, this is something that's important to us.
14 Do I regret this? This is my
15 biggest question -- people ask me if I regret
16 it. Absolutely not. Nothing that is
17 worthwhile is ever easy. I'll tell you that
18 right now. I am very happy to say that we were
19 definitely on the edge of this -- the cutting
20 edge. And now with the help of Senator Mellow
21 and Representative Shimkus and Representative
22 Smith, they are pushing this as fast as they
23 can through our legislation and so this will be
24 a state law.

25 I also want to thank the children of

.

15

1 West Scranton. You are courageous to do what
2 you did to come forth and push the legislation
3 through. You actually made me open my eyes to
4 something that I probably would not have done.

5 You made me step up to the plate and
6 say this is worthwhile. And I want that thank
7 you for that. They always say that children
8 seem to look at the world in a different way,
9 and it is definitely true. We get a little
10 afraid and tainted as we get older. But they
11 for some reason don't. I want to thank them
12 for helping me see what can be done. As I said
13 before, it is definitely not easy to do
14 something. I will tell you what. The efforts
15 of this legislation is definitely easier than
16 watching someone die or be very sick of a very
17 tragic, sad disease that could have been
18 prevented.

19 So I am once again standing up and
20 saying that this legislation is going to happen
21 and I am very proud to be part of it. And I
22 want to thank all the people in this city who
23 embraced it and said that even if it was going
24 to be a struggle they were going to give it
25 their all. And they did. I also want to say

.

16

1 there are a lot businesses that had called me

2 in the past two days saying they are going to
3 keep their place smoke free. I think that is a
4 great idea. I appreciate that. And I know
5 that the people out there who are frequenting
6 your establishments because of the clean air
7 will still do so. I just want to say that. So
8 that's all on that.

9 As far as another piece of
10 legislation that was up a few weeks ago, the
11 Hilton, we had passed a loan for the Hilton for
12 -- it was a facade improvement -- architectural
13 -- to keep the architectural heritage part of
14 the building. Now, everybody was saying that
15 for some reason that we weren't as O. E. C. D.
16 did not over the -- last week it was said that
17 O. E. C. D. did not go over the application
18 correctly. I looked into that. That was not
19 the case.

20 The liens that were placed on this
21 establishment were done so after the
22 application and after the approval. They still
23 did not receive the money. They don't have the
24 money. The closing did not happen, and it will
25 not happen until they meet the loan agreement,

.

17

1 which is they have to be lien free. So until
2 they get the certificate to prove they are lien
3 free, they will not get that money. So as far
4 as we are concerned, they did not receive the
5 funds and they will not receive the funds until
6 they meet all the requirements.

7 I did want to put that out there
8 because it seemed that people thought that we
9 already gave them money. We did not give them
10 money. The closing did not happen. That is
11 all I have. Thank you.

12 MR. COURTRIGHT: Mr. McGoff?

13 MR. MCGOFF: Thank you. A couple
14 very brief things. I would just like to
15 reiterate what Mrs. Fanucci said about the
16 smoking ban. I thought it was a good idea at
17 the time. I still do. I think it is to the
18 benefit of the City of Scranton and its
19 residents. And when it appears again in
20 whatever form, I will be elated to support it
21 once again.

22 Secondly, it was suggested, I

23 believe at the last meeting, that we start to
24 prepare for a budget for 2008. And I thought
25 that was a very good suggestion that we should
.

18

1 start thinking about that. And it seems as
2 though we have forgot about the revenue items
3 that we had talked about perhaps a month ago --
4 that we talked about doing some things. And
5 for whatever reasons they've gotten away from
6 us.

7 I would like to see us in the next
8 few meetings before we break for summer to
9 possibly move forward on enacting some types of
10 legislation that would increase revenue to the
11 city so that when we do sit down and take a
12 look at a budget for 2008 that we have some
13 things in place that will, in fact, be positive
14 in gaining revenue for the city. And that is
15 all I have. Thank you.

16 MR. COURTRIGHT: Thank you. We
17 received a nice letter from Katrina, one of the
18 junior council members here. And tonight is
19 her last meeting. We want to thank you for

20 your service. We hope we helped you in some
21 way, shape or form, Katrina. Thank you, and
22 good luck to you in the future.

23 Kay, I know over the last few years
24 or so we have been back and forth on this thing
25 with the mini mart on Meadow Avenue. It's been

19

1 open back up begin. There still is no sign
2 there. They were supposed to put up a sign
3 saying no left turn when they were coming out
4 of the mini mart onto Meadow Avenue. They were
5 crossing Meadow and going onto River. So if we
6 can ask Mr. Parker where we stand with that. I
7 think it is pretty important. The police
8 department is trying to get another K. 9 unit,
9 another police dog.

10 It's a very expensive thing to fund.
11 So what you are going to be seeing in the
12 coming weeks are some fund raisers out there to
13 support a new dog and also maybe some letters
14 going out looking for funds. And I would just
15 ask each and everyone of you if you can
16 possibly be as generous as possible to help us

17 with this. And it's very sketchy, the
18 information right now. But as I get it each
19 week, I will bring it forward to you. And
20 anybody that can help, it would be greatly
21 appreciated.

22 Kay, one other item I have for you,
23 on -- there's some businesses on Keyser Avenue
24 they are requesting how the city goes about
25 citing businesses that have junk cars or cars
.
20

1 that would be deemed junk. And one individual
2 feels we are not being fair if there's a
3 business on Keyser Avenue he believes is junk
4 vehicles that isn't being cited. I don't think
5 I am going to say the name of the business on
6 the air here, but I will give it to you
7 afterwards. Maybe we can ask Mr. Wallace if,
8 in fact, we are not being as fair as we should
9 be there.

10 For those of you that will see a
11 little congestion, a little bit of problem
12 similar to what happened on Wheeler Avenue will
13 happen on Hyde Park Avenue from Washburn Street

14 until Oram Street, I believe. The gas and
15 water company will be digging the street up so
16 will there be a lot of congestion there. They
17 will come and pave it as they finish.

18 One other thing about Wheeler
19 Avenue, I did ask them pave -- the cut
20 inspector -- pave cut inspector to take a look
21 because there was several pave cuts they said
22 on that street. And he's saying there's some
23 newer ones and he feels they are okay. And
24 he's saying the older one as far as the pave
25 cuts goes are okay, so maybe it's the potholes

21

1 that are a problem and not the pave cut. I
2 didn't look myself. He didn't report back to
3 me today.

4 MRS. EVANS: A number of photos were
5 e-mailed to each of us of the street in
6 question as well as the other blocks, and the
7 comparison is quite stark.

8 MR. COURTRIGHT: Were they pave cuts
9 or potholes?

10 MRS. EVANS: They are both.

11 MR. COURTRIGHT: I didn't open up

12 the --

13 MRS. EVANS: The street is in a

14 dreadful condition.

15 MR. COURTRIGHT: All right. We will

16 ask him to take another look at. That's all I

17 have.

18 MRS. EVANS: Mr. Courtright, I'm

19 sorry to interrupt again. But it just occurred

20 to me if I might remind all of my colleagues --

21 I had asked you a few weeks ago to consider

22 amending the budget to include a line item for

23 an expenditure to give Channel 61 \$25,000 from

24 the franchise fee we receive from Comcast. And

25 I had asked if each of you would think about

.

22

1 that for the May 31st meeting. And if we can

2 please discuss it then so that if we are in

3 agreement we can entertain that legislation in

4 June.

5 MR. COURTRIGHT: We actually briefly

6 discussed that before you got here this

7 evening. I knew I had to tell you something

8 when you came in the back room. We did discuss

9 it. I am sure everybody is willing to look at

10 it.

11 MRS. EVANS: Okay. Thank you.

12 MR. COURTRIGHT: That's it, Kay.

13 MS. GARVEY: 4-B -- actually before

14 I read this, I just want to mention there's a

15 typographical error in this on the agenda, so I

16 am going to read into the record as it should

17 be. And it is fine on the legislation, so

18 that's the only problem. 4-B for introduction

19 or resolution --

20 MR. COURTRIGHT: Hold on one second.

21 MR. MCGOFF: We need to make a

22 motion to have a temporary chair for rules.

23 And I would like -- I would like to make a

24 motion to appoint Mr. Courtright as the

25 temporary chair for the rules.

.

23

1 MS. FANUCCI: Second.

2 MR. COURTRIGHT: On the question,

3 all in favor? Aye.

4 MS. FANUCCI: Aye.

5 MR. McGOFF: Aye.

6 MRS. EVANS: Aye.

7 MR. COURTRIGHT: The ayes have it,

8 so ordered.

9 MS. GARVEY: 4-B - FOR INTRODUCTION

10 - A - RESOLUTION - APPROVING AND AUTHORIZING A

11 MORTGAGE SUBORDINATION AGREEMENT, IN FAVOR OF

12 FIRST NATIONAL COMMUNITY BANK CONCERNING A CITY

13 O.E.C.D. COMMERCIAL INDUSTRIAL LOAN WITH EDMUND

14 & CHRIS PISANO PARTNERSHIP.

15 MR. COURTRIGHT: At this time, I

16 will entertain a motion that Item 4-B

17 introduced into its proper committee.

18 MS. FANUCCI: So moved.

19 MR. McGOFF: Second.

20 MR. COURTRIGHT: On the question,

21 all those in favor?

22 MS. FANUCCI: Aye.

23 MR. McGOFF: Aye.

24 MRS. EVANS: Aye.

25 MR. COURTRIGHT: Opposed? The ayes

.

24

1 have it, so moved.

2 MS. GARVEY: FIFTH ORDER - 5-A-
3 READING BY TITLE - FILE OF COUNCIL NO. 97, 2007
4 - ORDINANCE - AMENDING FILE OF COUNCIL NO. 252,
5 2003, THEREBY AMENDING FILE OF COUNCIL NOS. 188
6 OF 1994 AND 103 OF 1995 AS SET FORTH IN THE
7 SCRANTON CODIFIED CODE AT SECTION 332-20
8 PERTAINING TO FEES FOR USE OF FACILITIES, TO
9 AMEND THE FEES FOR THE USE OF OUTDOOR CITY POOL
10 OTHER THAN NAY AUG PARK.

11 MR. COURTRIGHT: Reading by title of

12 Item 5-A, what is your pleasure?

13 MS. EVANS: I move that Item 5-A

14 pass reading by title.

15 MS. FANUCCI: Second.

16 MR. COURTRIGHT: On the question,

17 all those in favor?

18 MS. FANUCCI: Aye.

19 MR. McGOFF: Aye.

20 MRS. EVANS: Aye.

21 MR. COURTRIGHT: Opposed? The ayes

22 have it, so moved.

23 MRS. GARVEY: SIXTH ORDER - 6-A FOR
24 CONSIDERATION BY THE COMMITTEE ON RULES FOR
25 ADOPTION - RESOLUTION NO. 147, 2007 - AS

1 AMENDED - APPOINTING STEVEN KOCHIS, 531 HICKORY
2 STREET, SCRANTON, PENNSYLVANIA, 18505, AS AN
3 ALTERNATE ON THE ZONING HEARING BOARD FOR THE
4 CITY OF SCRANTON. MR. KOCHIS WILL FILL THE
5 VACANT ALTERNATE TERM ON THE BOARD OF ZONING
6 APPEALS. HIS TERM WILL EXTEND FROM JUNE 1,
7 2007 TO JUNE 1, 2010.

8 MR. COURTRIGHT: As temporary chair
9 for the committee on rules, I recommend final
10 passage of item 6-A.

11 MS. FANUCCI: Second.

12 MR. COURTRIGHT: On the question,
13 roll call.

14 MS. MAGNOTTA: Mrs. Evans?

15 MRS. EVANS: Yes.

16 MS. MAGNOTTA: Ms. Fanucci?

17 MS. FANUCCI: Yes.

18 MS. MAGNOTTA: Mr. McGoff?

19 MR. MCGOFF: Yes.

20 MS. MAGNOTTA: Mr. Courtright?

21 MR. COURTRIGHT: Yes. I hereby

22 declare Item 6-A legally and lawfully adopted.

23 MS. GARVEY: Seventh order -- I

24 believe for tonight council has agreed that you

25 are going to using the bell.

.

26

1 MR. COURTRIGHT: We are going to go

2 back to the bell system. We thought maybe it

3 was a little bit less offensive. So Kay will

4 hit the bell at one minute when you have one

5 minute left to speak. And then she will hit it

6 twice when your five minutes are up and see if

7 that can be a little bit more acceptable.

8 MS. GARVEY: SEVENTH ORDER -

9 citizens' participation.

10 MR. COURTRIGHT: And Fay Franas is

11 the first speaker -- I'm sorry -- Doug Miller.

12 MR. MILLER: Thank you. Good

13 evening, council, Doug Miller. I would like to

14 start off this evening by congratulating

15 Katrina Oregon, James Piazza and Jackson

16 Lockheed who will be graduating and leaving

17 junior council.

18 Tonight will be Katrina's final

19 meeting. I'd like to thank you for your hard

20 work, effort and dedication. You will be
21 missed as well as the rest of you. And I would
22 ask at this time for everyone here to applaud
23 these three fine young leaders. I would like
24 to wish each of you the best of luck.

25 A few weeks ago a question was asked
.

27

1 about -- from a few citizens regarding O. E. C.
2 D. funds and U-DAT funds being used to cover
3 the Latin festival up at Nay Aug. Mr. Bolus
4 couldn't attend tonight's meeting because he is
5 out of town and did send a letter to Miss
6 Hailstone asking her if funds were used. And
7 she replied within a week and said, no, they
8 were not used.
9 And citizens and council members
10 often say they have trouble getting answers
11 from Miss Hailstone. However, Mr. Bouls had no
12 trouble. I quote Mr. Bolus, it's how you go
13 about doing things and I don't think people
14 will have a hard time giving you an answer.
15 Regarding the smoking ban, I respect
16 the decision made today. However, I still feel

17 that the students and teachers should be
18 commended for their hard work and effort. It
19 takes a lot of courage to come up in front of
20 council and propose this as Mrs. Fanucci
21 stated. However, I would ask state legislators
22 -- I know we have a few that are strongly
23 pushing this for a state wide ban. I would ask
24 that they really consider this. There are many
25 other communities in the state as well as other
28

1 states in the country who have already
2 initiated such bans. And I feel we're behind.
3 I think we need to take action here.
4 I would ask in the next few weeks
5 state legislators really take a hard look at
6 this. I know next Thursday there is a hearing
7 at West High with Representative Shimkus and
8 Representative Smith. And they will discuss
9 this. And believe in the health and safety of
10 the citizens. I myself proudly support a
11 smoking ban in Pennsylvania.
12 Lastly tonight, I would like to
13 thank Reverend Catherine Simmons and the rest

14 of United Crime Watch Association for honoring
15 the junior council members tomorrow evening at
16 the Clarion Hotel at 7 p.m.

17 It is their awards night dinner, and
18 we will be receiving awards for community
19 service. I just want to let you know, Reverend
20 Simmons, that it is an honor and it is greatly
21 appreciated and we look forward to it. It will
22 a special evening. Thank you.

23 MR. COURTRIGHT: Thank you.

24 Katrina?

25 MISS OREGON: Good evening, city

.

29

1 counsel. As today is my last meeting as a
2 member of the Scranton Junior Council, I would
3 like to thank everyone for making this activity
4 a wonderful experience.

5 I feel honored to have been a member
6 of this new created assembly. I am sure it is
7 an experience I will take with me for the rest
8 of my life. I would like to thank all the city
9 council members and council staff for being so
10 supportive of our junior council. I would also

11 like to thank you for the many acts of kindness
12 I have received in the last year and a half.
13 Furthermore, I'd like to thank all
14 my fellow junior council members. We're the
15 first group of our kind, and I personally think
16 we have set a high standard. You have all
17 helped me grow as a person, a leader and a team
18 player. And in my opinion, we have grown as a
19 team. We have become stronger, wiser and more
20 mature.

21 I hope that the success of our
22 council continues with those who will follow
23 us. I wish all of you the best in whatever
24 lies ahead. Thank you.

25 MR. COURTRIGHT: Thank you, Katrina.

30

1 Fay Franas.

2 MRS. EVANS: Katrina, remember you
3 will always hold the honor of having been the
4 first junior council woman.

5 MS. FRANAS: Fay Franas, Scranton.

6 First I would like to start off by -- I would
7 like to give kudos to Mrs. Evans for -- a while

8 ago when she said this smoking ban was illegal.

9 Mrs. Evans certainly isn't for people being put
10 in the atmosphere of smoke. That wasn't her
11 intention.

12 I am sure her intention was to do
13 what was legal. She told Mr. Minora about
14 this. He chose to ignore it. As a matter of
15 fact, when she pointed out that Allegheny
16 County, you know, wasn't effective, he asked
17 her who is the lawyer here.

18 Well, Mrs. Evans always stands up
19 for the people. And she often has a
20 four-to-one vote against her. But she's always
21 right. Just because it's four against one
22 doesn't mean the majority rules and the
23 majority is right because there's four of them.

24 Like I said, when she was on the school board,
25 it was always eight against one. But she was

31

1 always right. That's what is wrong with this
2 city, the politics, Mrs. Fanucci, Mrs. Gatelli
3 and Mr. McGoff always going against everything
4 she wants.

5 So we are stuck as taxpayers. But
6 at least she stands up for what she thinks is
7 right. Another thing, Mr. Minora -- I don't
8 know -- I don't want to forget anything here.
9 There was 50 cities in this state that didn't
10 even follow through on this smoking ban because
11 they knew it wasn't legal. They didn't even go
12 there. They knew better.
13 Mr. Minora made a mistake. There is
14 a difference between a decision and a mistake.
15 He made a mistake out of ignorance. He's paid.
16 But as taxpayers us to interpret the law --
17 this law was a simple law that the boy scouts
18 could have interpreted. And he choose just
19 because like I said last week -- because he
20 says so doesn't make it right.
21 We better learn this. I would like
22 to know where Mark Walsh is when we need him.
23 He made a statement last week. I don't know
24 what it was but, but it didn't pertain to
25 anything. He said, take me to court. When Mr.
.

32

1 Minora speaks anymore, here's what I do.

2 (Ms. Franas is holding up a toy that

3 is making noise.)

4 MR. COURTRIGHT: Fay.

5 MS. FRANAS: Might as well -- same

6 thing.

7 MR. COURTRIGHT: Please turn it off,

8 Fay.

9 MS. FRANAS: I can't turn it off.

10 The point is what he says, that's what it means

11 anymore, nothing -- just because he's a lawyer.

12 Mr. Minora -- you know, he had his political

13 fingerprints all over this. He was just trying

14 to get everybody averted and upset and outraged

15 about this smoking ban. He caused people to

16 lose their income, the waitresses, their tips,

17 the owners of the restaurants and bars. They

18 lost a lot of their money. I would like to

19 know who will replace this money from these

20 people that Mr. Minora, Mrs. Fanucci and Mrs.

21 Gatelli and Mr. McGoff caused. Who will

22 replace this money that they lost? The

23 taxpayers, of course.

24 MR. COURTRIGHT: Fay, whoever is --

25 when you comment in the back, I can't hear what

1 she says. Even when you speak quietly, it
2 comes up here. So if we can just hold it down
3 so I can hear what Fay is saying, please.

4 MS. FRANAS: Basically what I am
5 saying he is he had his political fingerprints
6 all over this. They just tried to direct
7 attention to something else so they wouldn't
8 have to concentrate on the budget, and this is
9 not right.

10 We should be concentrating on the
11 budget and all the financial woes in this city.
12 Like I was telling you, I said who will pay for
13 this, who will pay for all these lost wages and
14 income for these restaurants and bars? I don't
15 know, but it's not right. Another thing, it
16 was in the paper on Sunday Ray Hayes said,
17 there's an ordinance for the political signs to
18 be taken down in 15 days. It's an ordinance in
19 the city. He said, I am not going to bother
20 with that, I will leave it up to the people to
21 do it.

22 How does he pick and choose which

23 ordinance to enforce? Are you going to enforce
24 all or enforce none? You just don't pick and
25 choose. Thank you.

34

1 MR. COURTRIGHT: Thank you, Fay.

2 MS. FRANAS: I have one more. I

3 have one more magical minute. I was going to

4 ask Mrs. Gatelli something. Maybe she can

5 prepare the answer for this next week if she

6 sees it. She made a comment in the paper today

7 that people go on Doherty Deceit -- she

8 considers them political terrorists. I go on

9 there every day. I'd like to know if she

10 considers me a political terrorist.

11 I mean, should go I go home and put

12 my camouflage pants on or what and take out my

13 water gun? I mean, I don't know. I mean -- I

14 know you can't answer that question.

15 MR. COURTRIGHT: I cannot speak for

16 Mrs. Gatelli.

17 MS. FRANAS: I know that. She

18 shouldn't be calling me or anybody else a

19 political terrorist without hard facts. We are

20 in America. I don't like it. I don't think
21 it's right at all, and I take offense to that.
22 I was going to say one more thing, Mr. Minora.
23 If he wanted to know more about the law, I
24 think he should check with the carpenter on
25 Sunset Street, Mr. Pilchesky. He might be able
.
35

1 to teach him some good law.
2 MRS. EVANS: Mr. Courtright, a
3 thought occurred to me during Mrs. Franas'
4 presentation, and you may have addressed this
5 earlier because I didn't catch everything that
6 you said.
7 I heard you referring to citations.
8 I am wondering if the students who have been
9 cited for smoking would possibly receive those
10 fines back. I would imagine it would have been
11 the parents paying.
12 MR. COURTRIGHT: Do they get fined
13 for smoking too close to the school, or they
14 get fined --
15 MRS. EVANS: I really don't know. I
16 only heard --

17 MR. COURTRIGHT: The can't fight it
18 for smoking because they are underage, but they
19 could fight it for purchasing them.

20 MR. MINORA: I think before anybody
21 does anything with this they ought to wait and
22 see if there's an appeal taken by Allegheny
23 County. They do have 30 days, and it's not --
24 it's not final. So at the end of that 30-day
25 period, those questions that you have and for
.
36

1 that matter that Fay Franas had maybe be able
2 to be answered or not depending upon what
3 occurs, whether or not they asked the Supreme
4 Court to take allocatur and whether or not the
5 Supreme Court does.

6 So procedurally it's a bit premature
7 right now although the Commonwealth -- the
8 second level appellate court has spoken I guess
9 in an unfavorable way, I don't think that's the
10 final decision.

11 MRS. EVANS: I believe as of today
12 the mayor has cancelled the enforcement of the
13 ban within the City of Scranton.

14 MR. MINORA: I understand that. But

15 what I am saying to you --

16 MRS. EVANS: No, I understand what

17 you are saying.

18 MR. MINORA: It's not a final

19 decision yet. Maybe I expect it will be

20 probably within 30 days. But it's not yet.

21 MR. COURTRIGHT: I'm sorry. I was

22 carrying on a conversation here. What I was

23 saying is I thought -- and I could be wrong --

24 I thought cited for smoking too close to a

25 school because they are supposed so far from a

.

37

1 school before they can smoke.

2 My belief is that -- they asked why

3 the officers don't cite them or fine them or

4 whatever smoking because they are underage. I

5 do not believe they can be cited for smoking

6 for under age. I believe they can be cited for

7 buying the cigarettes. But if they have them

8 in their possession, I don't think they can be

9 fined for that.

10 I will check to make sure, but I

11 believe that's how it works. I will check -- I

12 think they were cited for too close to the

13 school. I will find out.

14 MRS. EVANS: Thank you.

15 MR. COURTRIGHT: Brett McCloe.

16 MR. McCLOE: Good evening, my name

17 is Brett McCloe, Scranton taxpayer, homeowner.

18 I was going to speak about last Saturday's

19 parade. But in light of recent events, I feel

20 compelled to finish off where I began when I

21 first started coming to these meetings four

22 months ago.

23 The citizens of Scranton have been

24 misled by those who hold positions of power.

25 Regardless if you are for the smoking ban or

.

38

1 against it, the pity -- the people of this city

2 are owed an apology. Those who agreed with

3 this ban depended on your legal knowledge and

4 common sense to pass this ordinance.

5 They depended on the ethics of this

6 council to make just decisions. Those who

7 agreed with the smoking ban depended on this

8 council to do the right thing the right way.
9 Regardless of what's -- what side of the issue
10 you may be on, what we got was the wrong way to
11 do the right thing. You cannot break the law
12 to make a law.
13 Everyone who supported this ban
14 cried out with such vitreal and spit such venom
15 to punish those who break the law. They need
16 to rethink and reevaluate their own ethics.
17 This council broke the law. That cost
18 thousands of people hundreds of thousands of
19 dollars. Will you demand they be punished? I
20 had a lady come and sit at my table the other
21 day ranting about how she wasn't going to go to
22 a restaurant that allowed smoking.
23 I polightly said to her that's the
24 beauty of free will. She always had the choice
25 to go to any restaurant she wanted to go to.

39

1 She always had that choice, ones with smoking,
2 ones without. Instead she choose to spit
3 venom. Now, no matter where this lady goes she
4 will never be able to receive good service.

5 She is incapable of receiving it
6 because she now has entered a restaurant with
7 her own baggage. No matter where you are,
8 there you are. It won't matter what restaurant
9 she goes to if she carries this baggage. I
10 guess some people are incapable of working out
11 the delimita of free will and insist on forcing
12 others ethics -- forcing their ethics on others
13 rather than using their own free will.
14 I mentioned this story in order to
15 help waiters to understand the amount of
16 vitreal that will occur once the ash trays
17 start to hit the tables. Those kind of people
18 are just plain lazy thinkers and are easile led
19 around like sheep when -- before once again I
20 called them part sheep part people. We will
21 call them sheeple. We cannot move forward as a
22 city until we stop this the ends justifies the
23 means mindset.
24 Maybe we need to take this
25 administration and the council back to first
·
40

1 grade to relearn basic playground ethics about

2 life that we all teach our children. It's not
3 whether you win or lose. It's how you play the
4 game. Don't get me wrong. Winning is great,
5 but when you cheat or don't follow or change
6 the rules and bully everyone else in order to
7 win, a penalty flag must be thrown. It's time
8 for time-out for some people.
9 Someone needs to face the corner.
10 What do we do? How do we send a message to
11 future city councils and future
12 administrations? Maybe we need an
13 administration and a council that has the guts
14 to do the right thing the right way. Instead
15 we will be the laughing stock of the nation, a
16 shining example of the wrong way to pass
17 legislation while the people will pay and will
18 continue to pay for this mistake.
19 We deserve a little better than a
20 dime store legislative magic trick. We saw you
21 slide the truth up your sleeve. You owe us
22 more than an apology. We want our money back.
23 MR. COURTRIGHT: Les Spindler.
24 MR. SPINDLER: Good evening,
25 council, Les Spindler, city resident. First, I

.

41

1 I like to congratulate the junior council
2 members. They will be graduating school this
3 year, best of luck in your future endeavors.
4 First off, I will talk about Daron Northeast.
5 Last week Dan Hubbard was up here and had a
6 book full of code violations or zoning
7 violations which the city isn't taking care of
8 Daron Northeast.
9 This is a definite health hazard.
10 People are suffering over there. The city
11 isn't doing their job. This place should be
12 shut down yesterday. They're breaking the law,
13 and nobody is enforcing -- the zoning officer
14 should be over there shutting this place down.
15 This is ridiculous. Mr. Hubbard did
16 more work in maybe one week than Mr. Wallace
17 did in all the time he's been in office. He
18 should be able to shut this place down. It's a
19 definite health hazard. Now, as far as the
20 smoking ban, I am definitely in favor of a
21 smoking ban.
22 But I am in favor of a legal smoking

23 ban. Mr. Minora sat here week after week
24 swearing according to his professional opinion
25 that this was legal and it will show in the
. .
42

1 courts this is legal. Well, we found out this
2 week and -- today the mayor dropped the smoking
3 ban. It's not legal. I was wondering where he
4 is today. I guess he is home wiping the egg
5 off his face.

6 Next thing, I couldn't believe my
7 ears last week when I heard about the dog park.
8 It was \$300,000. I am all in favor of a dog
9 park. I have a dog myself. But \$300,000 for a
10 fence around a park? This is ridiculous. That
11 money could have gone into a lot more important
12 places than a dog park.

13 I just think \$300,000 is a
14 ridiculous amount of money for a dog park.
15 Next thing, Mrs. Gatelli isn't here tonight --
16 Mr. Courtright, do you have any idea if the
17 speaking arrangement here will be changed since
18 I brought up last week that it is illegal to
19 vote on agenda items before people speak here

20 on them?

21 MR. COURTRIGHT: As far as I know we
22 will try it this way and see how it works out.

23 We are being told --

24 MR. SPINDLER: It violates the Home
25 Rule Charter.

.

43

1 MR. COURTRIGHT: I am being told by
2 our solicitor it doesn't. I know what you are
3 going to say, he was wrong --

4 MR. SPINDLER: He said the smoking
5 ban was legal.

6 MR. COURTRIGHT: I understand. I
7 understand.

8 MR. SPINDLER: I have it in black in
9 white in the Home Rule Charter it's illegal.
10 We have to speak on agenda items before they
11 are voted on.

12 MR. COURTRIGHT: Because of the fact
13 -- I'm not going to speak for Mr. Minora. The
14 way he explained it to me -- I am sure we will
15 discuss it in caucus here if we are interested
16 in changing it to a different way. What he

17 explained to me was that due to the fact we
18 have two and three readings that you do have an
19 opportunity to speak before our final vote.

20 That's the way it was explained to me.

21 MR. SPINDLER: What happens with the
22 times that you change council rules and pass
23 things right through --

24 MR. COURTRIGHT: We would have to
25 give you the right to speak then. That's the

44

1 way it's been explained to me.

2 MR. SPINDLER: It's violating the
3 Home Rule Charter no matter what Mr. Minora
4 says. The Home Rule Charter is the Home Rule
5 Charter. His opinion means nothing. The Home
6 Rule Charter is what you are supposed to be
7 going by. I am not arguing with you, Mr.
8 Courtright.

9 MR. COURTRIGHT: He's our solicitor,
10 and I understand that you don't have much faith
11 in his word. But we have to --

12 MR. SPINDLER: He was proven wrong
13 this week.

14 MR. MINORA: He's been right more
15 than he's been wrong. Les, I will talk to him
16 about it, okay?

17 MR. COURTRIGHT: Thanks, Les.

18 Marianne Owens.

19 MS. OWENS: Marianne Owens, Scranton
20 taxpayer. On behalf of Jonathan Closs family,
21 I would like to thank everybody who made on May
22 20th his benefit a huge success. I would like
23 to thank Saint Peter's and Paul's, Father
24 Feretti and Monsignor Mark for their support.

25 Without anybody, we couldn't have

45

1 made this possible. I would like to thank you,
2 Bill, for supporting Jonathan and for being
3 there. Judy is not here. And without her
4 generous donation, it -- we really thank her.
5 For the businesses who donated
6 everything, for the volunteers who helped, for
7 Jackson Raymond who gave his time and his
8 talent to help this benefit, for Mr. and Mrs.
9 Staskel, we'd like to thank them for everything
10 they've done. We'd like to thank everyone for

11 their prayers, their time, their efforts and
12 generosity.
13 That's it for Jonathan. I would
14 like to say that I'm not for the smoking ban or
15 against it, but I would like to say my son goes
16 to West Scranton High School. And my husband
17 had a stroke at the end of May. And I think
18 when you hit something like a stroke, that
19 tells you there's time to change your habits.
20 He was a huge smoker, but through this he
21 cannot.

22 So for that I know the smoking is
23 hard. And I know what we are going through now
24 to get him better. I have one question for
25 city council.

.

46

1 If you have a property in Scranton
2 and run water out of your basement, should it
3 go down the city sidewalk or should it go down
4 the road?

5 MR. COURTRIGHT: I --

6 MS. OWENS: Pump the water out of
7 your basement or pump water out of your pool?

8 Should it go down the city sidewalk or go onto
9 road?

10 MR. COURTRIGHT: I defer to Mr.

11 Minora if he wants to answer that question or
12 not.

13 MS. OWENS: If you can tell me.

14 MR. MINORA: It probably should go
15 down the road.

16 MS. OWENS: It probably should.

17 Then it goes down other people's property on

18 the city sidewalk, and it could flood a city

19 property. But that's all. I thank you. Thank

20 you all. I think junior city council, Doug,

21 who was there. And I thank everybody. Thank

22 you.

23 MR. COURTRIGHT: Thank you very

24 much. Ron Elman.

25 MR. ELMAN: Hi, council. I see Mrs.

.

47

1 Gatelli is supposed to be at the tree

2 launching. The mayor said Miss Rosey could

3 come but had to leave me home. To start out I

4 got something to tell you people. All these

5 harsh words and jumping up and down at council,
6 it's -- I talked to all these people every time
7 I go to the grocery store. You can jump up and
8 down keep and this up forever, you are not
9 going to turn these three people.
10 They are -- got this blind
11 allegiance to the mayor. That's that. The way
12 to attack them is at the polls. We got to get
13 out and vote. I have all these guys sitting
14 back here -- I have had all these people come
15 up to me whining about the election and all.
16 They just stay home and watch N.A.S.C.A.R. and
17 drink beer. They didn't vote. It's like my
18 two boys. Neither one of them want to vote.
19 They say their vote doesn't count.
20 It's important. All this energy
21 ought to be spent getting people to the polls
22 I'm telling you. Maybe we'd get some good
23 government around here. This city has some
24 irreversible problems. And they just are
25 getting worse, you know. I went down on my way
.
48

1 here -- I went down Dickson Street. And a man

2 was cutting the grass. There's big clouds of
3 dust coming up. The cars got dust on them.
4 And Bill Fiorini -- he's a blatant liar if he
5 says there's no dust around there, you know.
6 He ought to be fired. He -- they
7 got fined for dust. He said there's no dust.
8 He's not -- he must be damn blind or something.
9 I don't know. And Tom Harrison -- he protected
10 all these tax sheets while every Friday -- you
11 look in tomorrow's paper. His name will be
12 under a bunch more people losing their houses.
13 He doesn't have any business being
14 in office to start with. He shouldn't have
15 been there, but it's time for him to go. The
16 way to do is start attacking our mayor at the
17 polls and getting rid of all these people he
18 keeps around him.
19 While not my favorite mayor, I gave
20 him a compliment a couple weeks ago about the
21 big clock in front of the Taurus Club I look at
22 every day. I was immediately told he had
23 nothing to do with that, it came from a grant
24 and the merchants in the neighborhood paid for
25 that clock. They jumped up and told me right

1 away. I am going to take my compliment back.
2 I don't like the man anyway, so I can take my
3 compliment back. Before I go, I just got the
4 other night at the Taurus Club -- Sunday night
5 a lady come up to me and was talking. Les
6 Spindler mentioned her last year about selling
7 her house, losing money just to get out of
8 here.
9 She'd come up, and we were talking
10 for quite a bit. And she wrote -- made a
11 statement I would like to say that was mine but
12 I won't. She said living in Scranton is like a
13 terminal illness. You keep hoping for a cure,
14 but it's like cancer, it just -- you know, it's
15 just -- the only way to get rid of it is to cut
16 it out of your life. You keep hoping things
17 will get better, but they don't. That is what
18 is happening to us. You know, we have such
19 poor administration. There's some people here
20 that ought to be investigated by a grand jury
21 instead of having their pictures up in their --
22 and their pearly whites in the newspaper every

23 couple days. Thank you.

24 MR. COURTRIGHT: Reverend Simmons.

25 MS. SIMMONS: Reverend Catherine

.

50

1 Simmons, Florence Midtown Crime Watch.

2 Tomorrow night is a night of celebration for

3 crime watch across the city. We, the ladies --

4 and I say ladies strongly -- who have struggled

5 and fought so hard to keep these streets alive

6 and alert to the respect of law and order are

7 now asking city and county yearly to honor and

8 respect persons who have shown great wisdom and

9 merit during this last year.

10 I ask the economic and political

11 community to donate so that these wonderful

12 individuals can be shown a true night of

13 celebratory honor surrounded by persons who

14 hold them up. So when a call is made to a

15 building engulfed in flames or a raid made to a

16 gang infested drug home or timeless hours spent

17 putting cases together or young people give up

18 their Saturdays to plant gardens or build a

19 playground.

20 It is not done without notice or
21 love of their neighbors. Unfortunately, the
22 community I have approached is not being very
23 helpful.

24 Yes, there are a couple of people
25 who have come forward but not very many. I

.

51

1 know some feel they don't like crime watch too
2 much. They don't like the witches who walk the
3 streets, but this is not about us. This is
4 about Scranton's honoring of the junior city
5 council, the Scranton fire fighters and the
6 Scranton police officers, the Lackawanna County
7 honoring of the District Attorney's Office, the
8 sheriff's department and the prison.

9 It is a night of love and respect.

10 Whether you are loyal to unions or not doesn't
11 make any matter at all. This is to the souls
12 who turn in their time. I don't just turn in
13 hours of myself. I have placed myself in deep
14 and personal debt, and I will continue to do
15 so.

16 This for each and everyone of these

17 individuals because they have earned -- they've
18 earned it. Now, I ask people in administration
19 to do the same. And now, Mr. Courtright, I'm
20 coming to you because I entered a problem today
21 that I thought I would not enter at this time.

22 The head table tomorrow night is
23 going to be addressed with people to give
24 awards to each and everyone present there.
25 Chief Davis will be there to give awards to the

.

52

1 firemen. Andy Jarbola will be there to give
2 awards to the D.A.'s office. Judge Harhut will
3 be there to give awards to the youth.
4 The only person that will not be
5 present and called me today to let me know that
6 there won't be anybody in the City of Scranton
7 to send is Chief David Elliott. I don't know
8 where the policemen will be. We won't have
9 anybody. He might have somebody he can send to
10 run in, throw an award to the two ladies who
11 have given their year long service but then he
12 will have to run back out again. These ladies
13 earned more than that, okay.

14 And I'm not going to let somebody
15 just run in throw an award to them and run back
16 out again. So, no, he can keep his running in
17 and running out. So I am going to ask you, Mr.
18 Courtright -- I don't know what your night is
19 tomorrow night. Your wife may come looking for
20 me. She may have something on the agenda for
21 you, but these two ladies have earned your
22 respect tomorrow night. So at the Clarion at
23 6:30, they will be waiting for you so won't
24 crime watch. Thank you.

25 MR. COURTRIGHT: Thank you. Jimmy

.

53

1 Stuckard.

2 MR. STUCKARD: What's up, Mr.

3 Courtright? Hi. We have a problem. Our

4 street -- we had people parking by the pole

5 last week, that restaurant down by -- up the

6 street by me down. The name is Jim -- I don't

7 know what the name of the restaurant is. They

8 park the car right there, and they wouldn't

9 move it. There's no signs -- there's a sign

10 there that says no parking. It's all rusty.

11 So I went to the police station.

12 They gave me the number for the P. P. & L. -- I

13 don't know what you call -- they put signs up.

14 MR. COURTRIGHT: The D. P. W. puts

15 the signs, Jim.

16 MR. STUCKARD: Yeah.

17 MR. COURTRIGHT: Give me the

18 address. I can get the car moved for you. You

19 got to get me the address though.

20 MR. STUCKARD: About the light -- we

21 need a light there to the pole.

22 MR. COURTRIGHT: That was on Moosic

23 Street you wanted a light.

24 MR. STUCKARD: No, that's on

25 Providence Square, Market Street -- that side

.

54

1 street. I gave Mrs. Matella -- I don't know

2 her name.

3 MR. COURTRIGHT: Who?

4 MR. STUCKARD: I gave it to Judy.

5 MR. COURTRIGHT: Judy, okay. Give

6 me the address. I will get the car moved for

7 you, okay.

8 MR. STUCKARD: They never called.

9 They never called for a light on the pole. We
10 needed a sign there.

11 MR. COURTRIGHT: Okay. Give me the
12 address. I will get the car moved for you.

13 MR. STUCKARD: I'll give it to you.

14 MR. COURTRIGHT: You got to give it
15 to me again. I don't have it.

16 MR. STUCKARD: On Green Ridge Street
17 there's a big old red house. Nobody lives in
18 it. There's a bunch of junk on the front
19 porch. Is there a way to maybe get somebody to
20 -- talk to the city about ripping it down?

21 Nobody lives in there.

22 MR. COURTRIGHT: Is it condemned,
23 Jim?

24 MR. STUCKARD: Huh?

25 MR. COURTRIGHT: Is it a condemned

55

1 building?

2 MR. STUCKARD: Yes.

3 MR. COURTRIGHT: It will be on the
4 list. The city will take care of it if it's

5 condemned.

6 MR. STUCKARD: What about the one on
7 Lackawanna Avenue -- on -- by the Greyhound --
8 the old Steamtown building? I heard they are
9 going to fix that and put a restaurant in
10 there.

11 MR. COURTRIGHT: Yes, they are.

12 You're right, Jim.

13 MR. STUCKARD: Okay. I have another
14 one. What about Parrot Avenue? I've been
15 bitching --

16 MR. COURTRIGHT: Don't say that,
17 Jim.

18 MR. STUCKARD: I'm sorry. I've been
19 complaining about that on Parrot Avenue for
20 about three or four months.

21 MR. COURTRIGHT: I know, Jim. We
22 keep sending down your request for the
23 potholes, right?

24 MR. STUCKARD: Yes.

25 MR. COURTRIGHT: We will send it

.

56

1 down again.

2 MR. STUCKARD: We have them skate
3 boards. They are all over. Everywhere you go
4 they are up and down Oak Street, everywhere.
5 They are going to get hurt right up and down
6 the middle of the road. These kids don't
7 understand to get off on the street when they
8 are driving cars at night.

9 MR. COURTRIGHT: All right. Okay,
10 Jim.

11 MR. STUCKARD: Please do something
12 about it.

13 MR. COURTRIGHT: What's that?

14 MR. STUCKARD: Try to do something
15 about it. All right.

16 MR. COURTRIGHT: That it?

17 MR. STUCKARD: Yeah.

18 MR. COURTRIGHT: Okay. Thank you,
19 Jim. David Dobson?

20 MR. DOBSON: Good evening, council.
21 I would like to thank the council for restoring
22 council chambers to the taxpayers and free
23 swimming and congratulate the winners in the
24 election and offer my condolences to the people
25 that didn't do so well.

1 I have an article here from the
2 Scranton Times on public housing. And it
3 reads, cuts to funding for public housing will
4 end up costing taxpayers more in the long run.
5 A group of mayors and public housing directors
6 said Friday public housing has been cut by
7 billions of dollars, not millions of dollars,
8 and it's creating a huge, huge strain in
9 Philadelphia mayor John F. Street said Friday
10 after hosting a meeting of mayors and housing
11 authority leaders from 20 cities.
12 Funding for Philadelphia from
13 federal community development block grant
14 programs declined from 71.7 million in 2001 to
15 53.6 million in 2007, a reduction of 25 percent
16 officials said. Participants said cuts will
17 result in more people living on the streets and
18 an increase in dependence on shelters.
19 Now, first of all, I would like to
20 apologize for any -- any misconstruances for my
21 speech the week before last. But last week the
22 testimony was made as to a racist motive. And

23 perhaps I was not clear in what I had to say.

24 And perhaps the listener did not

25 understand or didn't bother to listen as well

.

58

1 as what they could have. I have no motive

2 other than for tax issues. It makes little

3 sense to tear down an asset and replace it with

4 a medical school and develop another housing

5 development in its place.

6 That's three times the tax

7 expenditure and not to mention the small

8 societies and the neighborhoods that exist and

9 may be disrupted. And people may never see

10 each other again or have to develop

11 relationships with new neighbors. I feel that

12 certain political entities are sabotaging the

13 downtown location with the intent of another

14 site possibly up valley.

15 And I would like to mention that you

16 should call your congressmen especially Bob

17 Mellow -- and the number is in the book -- try

18 to influence him to steer us back into the

19 downtown. And as stated in the Times article

20 -- I will never have anything more to say on
21 this but beware of what you're told. Midtown
22 may or may not be rebuilt. And if it isn't, we
23 may have homeless people as a result, people
24 being driven homeless.

25 Nobody chooses to be homeless except

.

59

1 a person with an extreme alcohol or drug
2 problem. Nobody wakes up and says, well, I am
3 going to camp in the streets today and sell my
4 house or whatever.

5 That's totally ridiculous. And I
6 also believe that all U.S. citizens should have
7 a 12 by 12 room with a bath, small kitchen,
8 medical care and adequate food and affordable
9 education and human respect.

10 And I also detest the K. K. K.,
11 Arian nation, nazis or any other group that
12 persecutes on racial or ethnic grounds. Once
13 again, I would like to offer my apology and a
14 hand of friendship for the misunderstanding.
15 But my motives were not racist, and I am not
16 offended by it. So if that person wants to

17 approach me in the future and talk to me about
18 it, that's fine by me. I have nothing against
19 him. Thank you. Have a good night.

20 MR. COURTRIGHT: Bill Jacowicz.

21 MR. JACOWICZ: Bill Jacowicz, south
22 Scranton resident. Last week the citizens of
23 Scranton were assured that the illegal smoking
24 ban ordinance in Scranton would hold up in a
25 court of law.

60

1 On Monday, 21 May, 07 Mr. Hayes
2 states, the city won't back down don't on
3 smoking. What happened? On Thursday, 24 May,
4 07, Mayor Doherty and Attorney Minora state, we
5 cannot continue to enforce the no smoking ban.
6 Again what happened?
7 There were four council persons and
8 one attorney who passed this ridiculous law and
9 ordinance. Again, another prime example of
10 poor leadership by our elected and appointed
11 officials of Scranton. Citizens have spoken
12 before this body of legislators and asked that
13 time and patience be applied in writing and

14 passing of the ordinance. Again, it fell on
15 deaf ears. Just because you were elected to
16 office or appointed to a political position,
17 you are still required to abide by laws of the
18 county -- state and county.

19 You cannot make up case law or
20 justify your illegal actions based upon your
21 personal dislikes or something. Now the
22 taxpayers of pairs Scranton will more than
23 likely would have to pay for legal costs and
24 possibly lawsuits because of the inappropriate
25 actions of four council persons and one

61

1 attorney. Who knows how many citizens who
2 worked in these businesses that were effected
3 by this ordinance lost wages and an opportunity
4 to earn tips and undue hardship because of the
5 actions of four council persons and one attorney?

6 Thank you, Chick's Diner and

7 Whistle's for standing up for the citizens of
8 Scranton. Ms. Fanucci, you asked the citizens
9 to bring it on. Well, guess what? They did.

10 And it appears that the citizens were correct.

11 Also, Ms. Fanucci, you stated that the budget
12 will be balanced off the backs of the smokers.
13 Again, you were wrong.
14 When you are elected to public
15 office by the people, you should work for all
16 the citizens, not just the Doherty real people
17 and the Fanucci my people. So far in the year
18 2007 the citizens of Scranton and especially
19 the regular speakers at city council have been
20 subjected to name calling by the council
21 attorney, certain city council members, the
22 Doherty Times Tribune. We have prevailed and
23 will continue to prevail because speaking for
24 myself I have no agenda or selfish motives for
25 speaking weekly at this meeting or in public.
.

62

1 I have nothing to gain except the
2 satisfaction in trying to make Scranton a
3 better city for all to live and work and play.
4 I and others have been subjected to searches,
5 time limit changes. Mrs. Evans was accused for
6 wasting \$3,000 dollars of taxpayers' money.
7 How much money waisted on the smoking ban and

8 defending unwinnable lawsuits? The taxpayers
9 have been booted out of council chambers only
10 to be allowed back because we have law on our
11 side.

12 Three or more police officers
13 present at city council meetings to supervise
14 Scranton's most wanted citizens, city council
15 members have been accused of organizing a plot
16 of terrorizing two councilwomen, so far
17 unfounded -- still waiting for an arrest to be
18 made. Cameras were removed and placed back,
19 live coverage stopped, then started again. We
20 still do not know who ordered the cameras out
21 or who ordered the searches and screening of
22 law abiding citizens.

23 In the long run, taxpayers and
24 citizens will pay the bills while the elected
25 officials and cronies will continue to live the

63

1 good life.

2 Taxes have gone up. Utility bills

3 have gone up. Gas prices have gone up.

4 Lawsuits, losses have gone up. But yet the

5 elected officials and appointees still would
6 not listen to the citizens. The time has come
7 for all good citizens elected or not to start
8 working together and solve the serious problems
9 the City of Scranton has.
10 The distressed city status must end
11 now. Sign the union contracts. Stop the
12 borrowing and spending, and let the citizens
13 become part of the process. So far we have
14 proven that we are more knowledgeable than the
15 elected officials. Nothing positive changed in
16 the past 17 months.
17 Many negative changes have occurred.
18 Credibility goes a long way. Southern Union,
19 still empty. Of Pennsylvania's 14 metropolitan
20 areas, 12 were identified as economically weak
21 compared with other metropolitan areas in the
22 nation. The greatest percentage in the nation,
23 may I add, Scranton remains 14th and last
24 still. Like I said, nothing has changed. We
25 started of the meeting very well today. Ms.

.

64

1 Fanucci, you were talking about the loan to the

2 Hilton. It was the Radisson who wanted the
3 loan, not the Hilton. So again,
4 misinformation.

5 Also the Hilton is 860,000 -- they
6 have a tax lien for \$860,000 against them. We
7 have already given them millions of dollars.
8 Lets get the facts straight before we present
9 them to the public. Thank you.

10 MRS. EVANS: Thank you, Mr.

11 Jacowicz. Mr. Mark Stivala?

12 MR. STIVALA: Mr. Mark Stivala. I
13 am going to talk about the Alexander's grant
14 again. Last -- two weeks ago I was here, and I
15 gave everybody a letter. It was a sworn
16 affadavit where Sherry swore she dissolved
17 this corporation. And I gave you a copy of
18 each one of them to the counsel -- I was
19 wondering if you did any investigation on that
20 to find out whether the corporation was
21 dissolved or not.
22 So nobody even looked into her
23 swearing under oath that she dissolved this
24 corporation? We are just going to give them
25 the loan?

1 MS. FANUCCI: What I looked into was
2 the same thing I looked into before was the
3 compliance of the application. She complied
4 with all of the application with the state and
5 with the city. That's all she was required to
6 do. So everything that was rechecked again by
7 the third time, in fact, I believe the letter
8 from the state was issued because they have
9 nothing to do with the -- you wrote a letter to
10 them also or something and asking them to
11 investigate. Everything has checked out. She
12 is in compliance.

13 She has received the loan in good
14 standing. She will continue to receive the
15 loan until -- I mean, I don't know what it is
16 you're looking for. But you're not going to
17 find it because it has already been established
18 her application is -- is perfect for her.

19 MR. STIVALA: What I am looking for
20 -- I am looking to give you the truth. I mean,
21 I am sure with any application that you get you
22 can only make the decision -- this isn't a

23 personal attack on you, Sherry or anybody else

24 on council. You can only do -- make a decision

25 on the information that you were given. So

.

66

1 what I am trying to do is give you the correct

2 information.

3 MS. FANUCCI: You don't understand

4 it is us who are making the decisions as far as

5 -- as far as who gets -- we decide who gets the

6 loan. But the application process is not our

7 process. It has to do with the city. It has

8 to do with HUD. All of the application has

9 nothing to do with us.

10 MR. STIVALA: If the loan is

11 fraudulent -- if it was done on fraudulent

12 representation, then you have everything to do

13 with that loan. And you said you'd check with

14 John Cerra. I told you John Cerra was the

15 attorney of record when that statement was

16 given, okay.

17 MS. FANUCCI: This is -- it's

18 personal --

19 MR. COURTRIGHT: I don't know that

20 we can answer some of the questions you have

21 and some of the accusations you're making. I

22 think maybe --

23 MR. STIVALA: I was asking the

24 council to look into it. I want to provide

25 them with the information so they can't say

.

67

1 down the road when something happens, we didn't

2 know, nobody told us about this.

3 THE COURT: Let me ask you if you

4 can do this for me, please. None of us are

5 investigators up here as far as that goes.

6 None of us are attorneys obviously. Whatever

7 information you have there that you think is

8 pertinent to this case, if you would turn it

9 over to Mr. Minora. We will ask him to look at

10 it. I did call O. E. C. D. myself. I am sorry

11 to interrupt.

12 I did call O. E. C. D. myself. The

13 information I had I was satisfied. That's why

14 I voted the way I did. If, in fact, you have

15 information that is saying her thing is

16 fraudulent, if you would turn it over to our

17 attorney there -- give to it to Sue. And we

18 will take --

19 MR. STIVALA: You can look at it now

20 because I have --

21 MR. COURTRIGHT: I am sure we will

22 be willing to take look at it.

23 MR. STIVALA: This is where Sherry

24 also said she had she checked with Bridged

25 Carey. This is where Bridged Carey says that

.

68

1 she has formed a new corporation but she's

2 going -- not advertise it, which she never did.

3 And as of today it was never advertised and

4 that -- that she's going to keep it from me

5 because the unresolved domestics.

6 So the bottom line comes down to is

7 -- she filed a tax return under that

8 corporation in which Sherry said that, oh,

9 she'd check the last four years of tax returns.

10 That was done in '03. That tax return was

11 filed in '03 under that corporation.

12 Also under the corporation that

13 she's trying to get the loan, she took the tax

14 benefit that she talks about in that paperwork
15 that I gave you saying that she wanted to
16 dissolve the corporation to get a tax benefit.
17 What she did was reinstate it when it's good to
18 have a corporation and dissolve it when she
19 wants a tax benefit? That's all I have.
20 Thanks.

21 MR. PATILLA: Sam Patilla, city
22 resident, taxpayer. I want to get into -- like
23 I said last week -- the election thing.
24 Leaders are born. They are aren't made. All
25 right. It doesn't make a difference what your
.
69

1 last name is, where you come from, who your
2 parents are, the color of your skin. Either
3 you're a leader or you're not.
4 I want my people out there to
5 understand that right here in this room you
6 have some of the greatest non-black leaders
7 fighting for your cause, Nelson, Andy, Lee
8 Morgan, Glen, who not here, Ms. Evans, all
9 right. You have Eleanor Roosevelt, Susan B.
10 Anthony, Ralph Nader, Julio Chavez, Gandhi Mr.

11 and Mrs. --

12 MR. COURTRIGHT: You guys are

13 talking. I can't hear Mr. Patilla.

14 MR. PATILLA: You have some of the

15 greatest non-black leaders in this nation

16 fighting for your cause because you're too lazy

17 get off your butts and vote. I will go back

18 over that list again, Nelson, Andy, Lee Morgan,

19 Glenn, Ms. Evans herself, Eleanor Roosevelt,

20 Susan B. Anthony, Ralph Nader, Julio Chavez,

21 Gandhi Mr. And Mrs. Pilchesky, Dan Hubbard and

22 his mother, Ozzie Quinn, all right, Bill

23 Jacowicz, just to name a few -- just to name a

24 few.

25 So you know, you cannot use that

.

70

1 excuse with me that we make up five percent of

2 the population and yet 95 percent of the

3 prisons. I'm not here to keep drug dealers out

4 of jail.

5 My whole thing is quality. If you

6 want to be treated as an equal, if you want to

7 stand up on your own two feet and be treated as

8 a man or woman, you get up on your feet, you
9 get to the voting booth and you vote these
10 crooks out of office.

11 All right. That's the only way --
12 it's the only solution available to you. You
13 don't cry about it. You don't blame the whole
14 race of people. Just like all blacks aren't
15 saints, all white people aren't the devil. So
16 get off your -- and get out and vote. If
17 you're not registered, get down to 135
18 Jefferson and register. All right. Quickly on
19 that no smoking ban, like I said last week and
20 like I will stay every week I come up here -- I
21 am not saying this as a question. I'm not
22 posing it as a statement. It is mainly out of
23 common courtesy.

24 But due to the continued
25 misinformation and basically the lies that the
.
71

1 public is getting from Ms. Fanucci, Mr. Amil
2 Minora, Hayes, Setizinger and that crooked
3 taxpayer -- tax collector McDowell, you people
4 should just resign because the only thing

5 professional about Amil Minora is he's a
6 professional thief when it comes to terms of
7 the taxpayers. You are just stealing our money
8 and giving it to your friends. You're not --
9 you're not assessing the tax rate on those
10 homes fairly and correctly so that everybody is
11 paying their share.

12 You are living on the back bones of
13 poor people who are hard working people who
14 serve their time.

15 I don't want it hear this crap about
16 my name is such and because you yourself are
17 only a phone call away from Section 8. You are
18 nothing but a hair dresser, okay. You're
19 nothing more than that. Let's keep it real.

20 All right. This is ain't nothing personal.

21 This is --

22 MS. FANUCCI: You have problems with
23 hair dressers in the City of Scranton?

24 MR. PATILLA: This is business.

25 This is for real. Don't talk when I am

.

72

1 speaking. You say what you want when I am

2 finished. The thing when come it comes down to
3 politics, politics is a business, business has
4 to be run openly, honestly and fairly. You
5 don't give it to your friends. You don't give
6 it to your family members. You give it to the
7 people because they are the ones that pay the
8 taxes. They are the ones that pay your salary.
9 I don't want to hear the garbage. I
10 am too hold for it. Back to my people, come
11 November you get your butts down there. You
12 register. You come out to the polls, and you
13 vote. I don't want to hear this garbage about
14 losing your job because when you walk up to
15 that booth, ain't nobody there but you and God.
16 So if any con is threatening about your job,
17 you bring it somebody to that will take care of
18 it and we will send their butts to jail. As
19 far as that statement telling Ms. Franas to
20 take him to court, oh, I intend to take you to
21 court. Let me put a personal lawsuit --
22 liability -- civil rights lawsuit on you that
23 will make the Doherty debt look like Donald
24 Trump's pocket change. All right. Because I
25 am coming after you for jail time. Point

1 blank, you're crooks and I am coming after you

2 for jail time. Like I said, this is equality.

3 I'm not looking to get drug dealers off. I am

4 not looking to get criminals off. I just want

5 honest people representing these honest folks

6 back here and honest citizens of the City of

7 Scranton. Thank you.

8 MR. COURTRIGHT: Thank you. Ozzie,

9 if you can just give me one second, all right.

10 I am not in the habit of answering my phone at

11 meetings. And I leave it on vibrate. I will

12 explain to you why. I have a son that is away

13 at school. He comes home every Thursday night.

14 I leave the phone on just in case something

15 happens. It rang. It was the police chief

16 calling me.

17 Either he was watching this meeting

18 or somebody called him, and he said there will

19 be a representative from the city -- Director

20 Hayes will be there tomorrow night to represent

21 the police department. So I -- you can't yell

22 from the audience. Thank you.

23 MR. QUINN: Ozzie Quinn, president
24 of the Scranton Lackawanna County Taxpayers'
25 and Citizens' Association.

74

1 I want to apologize for what I said
2 from the -- from sitting there. In regards --
3 I thought Ms. Fanucci was addressing me when
4 she said Ozzie.

5 MR. COURTRIGHT: No problem.

6 MR. QUINN: The situation is that --
7 two reasons why I am here tonight. Again, we
8 keep forgetting from January to November the
9 Doherty debt. And it's there hanging over us.
10 I don't know if everybody is aware
11 of it 12 months of the year, but us taxpayers
12 are and our association. And I am asking you
13 again for the third time to empower Mrs. Evans
14 to -- as finance chairperson -- which I believe
15 would be in her realm to put a budget and that
16 the council do something with that budget, not
17 just three to two turn it down or whatever it
18 was, okay. She can't spend all her time and
19 all her wisdom on putting something together.

20 We got to eliminate spending. We
21 just got to eliminate -- she knows where it's
22 at. If we listened to her last year, we
23 wouldn't have this 25 percent increase.

24 The second thing is -- if you read
25 in the paper this morning Nicole Duval -- she

.

75

1 wrote a story about the age of homes in the
2 City of Scranton and in Northeastern
3 Pennsylvania. 50 percent were built before
4 1939 -- actually it's 56.2 percent. That is
5 from the American Community Survey done by the
6 U.S. Census.

7 Actually if you follow that line of
8 thinking, the population by the community --
9 American Community Survey is that Scranton has
10 a population of 67,314 down from the 2000
11 census of 76 thousand something, okay. But no
12 matter how you put it, we have pockets of
13 poverty all throughout the neighborhoods. Some
14 of the good neighborhoods, they are able to
15 maintain their home. They have good jobs. The
16 hill section is a beautiful area. There's no

17 doubt about it. Those houses are really great,
18 okay. There's houses all throughout the city
19 that's great.

20 When you come to elderly people who
21 -- we have a high rate of elderly. One in four
22 -- 23 percent of our population is poverty.
23 And the price of utilities taxes, wage taxes,
24 gasoline, et cetera, these people cannot
25 maintain their houses, fix them up. And I

76

1 think -- I would go out on a limb to say I
2 believe we are the only community that
3 receives, Sherry, community development block
4 grant that doesn't have a comprehensive
5 rehabilitation program that will be to
6 renovate, to fix up your house, either by a
7 grant or a slow -- a small interest loan or a
8 deferred payment, okay.
9 We are giving this money out. And,
10 of course, it's going to these businesses,
11 okay. And some of them could be bank approved.
12 If anything, we should just subsidize what they
13 can't afford, what interest the bank is giving

14 and what we can do to subsidize that. If a
15 bank -- first they should see if a bank can
16 approve them. If that bank approves, they
17 shouldn't be coming here. Let's try to help
18 our neighbors now. We are looking at this all
19 through a macrocosm downtown when we should be
20 looking into microcosm of the whole city, okay.

21 And there are people out there that
22 need money -- grants to fix their homes and
23 they can't. And we got to do something about
24 it. We just can't neglect this any further.

25 And I would appreciate if you, Ms. Fanucci,

.

77

1 would put on your agenda and talk to Mrs.
2 Hailstone about it. I don't want to be
3 explained away with the good services that
4 Scranton neighborhood housing services are
5 doing. They are a great group, but they are
6 not doing a block by block housing
7 rehabilitation program.

8 It's a shame. Look at the
9 infrastructure. The sidewalks are crumbled.
10 There's no curbs, of course, with all these

11 potholes. But the housing is deteriorating,
12 okay. And I am just asking, let's look at it.
13 Now, the median income in the City of Scranton
14 as by the American Community Survey is \$28,282.
15 That means that half our population -- even
16 half of our population are homeowners, they are
17 actually below the median income 28,000 or
18 below. How much money can you use to actually
19 fix up your house if you are only making 15 or
20 16 thousand dollars a year? You can't do it.
21 So we have to start looking at the
22 neighborhoods and forget about these businesses
23 until will we get our house in order. Thank
24 you very much.

25 MR. COURTRIGHT: Mr. Quinn, Ms.

.

78

1 Fanucci has the answers to your questions.
2 Here. State your name.
3 MS. SUETTA: Jean Suetta, 1549
4 Gardner Avenue, Scranton, Pennsylvania,
5 American Pollock. Mr. McGoff, how is our siren
6 coming? No answer. I was at the veteran's day
7 parade, seen Janet there -- I know Bill was

8 there. Were you there, Sherry?

9 MS. FANUCCI: No, I was not.

10 MS. SUETTA: Shame on you. Were you

11 there, Mr. McGoff?

12 MR. MCGOFF: I was not.

13 MS. SUETTA: Shame on you, too.

14 MR. MCGOFF: Excuse me. Excuse me.

15 You don't know where I was, so it's not shame

16 on me.

17 MS. SUETTA: They were our veterans.

18 You should have been there to support them.

19 They are over there getting killed. The least

20 you can do is come down and support them.

21 MR. MCGOFF: I was with my family.

22 MS. SUETTA: Bring them, too.

23 Everybody was welcome.

24 MR. MCGOFF: We weren't even in

25 Scranton, so it was --

.

79

1 MS. SUETTA: Janet, can you please

2 tell me why the Scranton high band was not at

3 the veteran's day parade?

4 MRS. EVANS: I don't have any

5 response for that because I am --

6 MS. SUETTA: I think it's a shame.

7 MRS. EVANS: Well, I would have

8 liked to have seen the Scranton High School

9 band perform. I did see West Scranton, North

10 Pocono. But I'm not the band director. And I

11 am not an administrator so I cannot, you know

12 -- I have no control over when the band

13 performs.

14 MS. SUETTA: Can you find out why

15 they weren't there? I think -- I think it is a

16 disgrace to the city. We spent how much money

17 on that monstrosity of a school, yet they can't

18 attend a veteran's parade? Shame on them.

19 Now, Daron, we are having so much

20 trouble with Daron. How come we never had a

21 problem with Scranton Building Block? They've

22 been there since Moby Dick was you a minnow.

23 You never heard of asthma, nothing, blah, blah,

24 blah, as we are having with Daron.

25 Now, I know it's creeping in my

.

80

1 neighborhood because I work out in the yard.

2 Now I am coming in and getting nose bleed. If
3 I find out it's from what they are -- what's
4 growing down from Daron, you won't have to
5 worry about shutting them down because they are
6 going to have a tiger by their tail is me. I
7 am not going to get sick over Daron. I am not
8 the lady across the street. I am the one down
9 the road.
10 That's, like, five blocks away from
11 me. You can still smell it. Come down to see
12 the dust on my glider. Every day I got to dust
13 it. Why? Because it's blowing down from
14 Daron. You drive by Daron and your throat's on
15 fire. How come we never had a problem with the
16 Building Blocks?
17 MR. COURTRIGHT: I don't know the
18 answer why you didn't have a problem before,
19 Jean. I know we got a letter from the owner --
20 I don't know if it was the owner or the manager
21 of the company saying that he will be willing
22 to sit down and talk with any or all of us. So
23 I think we will probably take them up on that.
24 MS. SUETTA: Why don't he have a
25 neighborhood meeting and let these other people

.

81

1 speak?

2 MR. COURTRIGHT: That's --

3 MS. SUETTA: There's a lot people

4 involved. There ain't just me and those people

5 on Dickson Avenue. There's a lot of people.

6 MR. COURTRIGHT: Right. I was --

7 not to take your time, but I -- when I get the

8 opportunity to speak to them I am --

9 MS. SUETTA: I have two minutes from

10 the last meeting, so don't worry.

11 MR. COURTRIGHT: I will ask why they

12 don't have silos there for the aggregate to put

13 in or something that we have down at the D. P.

14 W. to at least shelter that material. I don't

15 know --

16 MS. SUETTA: We had no problem with

17 Scranton Building Block.

18 MR. COURTRIGHT: I don't think it

19 would eliminate the problem but will help a

20 lot. So I will ask that question.

21 MS. SUETTA: There was no problem

22 from Scranton Building Block. They used to be

23 right down the road.

24 MR. COURTRIGHT: Did they have piles

25 like that when they were there or no, Jean?

.

82

1 MS. SUETTA: They have cones.

2 MR. COURTRIGHT: They had them

3 inside?

4 MS. SUETTA: Yeah, a big cone down

5 right there. I mean with all the money they

6 got from the city, blah, blah, they should do

7 something to protect us.

8 MR. COURTRIGHT: I agree.

9 MS. SUETTA: I have two minutes from

10 the last meeting don't forget.

11 MR. COURTRIGHT: Is that one or two?

12 MR. MINORA: One minute.

13 MR. COURTRIGHT: Thank you.

14 MS. SUETTA: Janet, find out for me.

15 And everybody have a nice holiday.

16 MRS. EVANS: Kay, could we set up a

17 public caucus meeting with the gentleman who

18 sent us the correspondence and if we can know

19 that a week in advance so we can announce it

20 for the residents of that area of Green Ridge
21 because I think it is very important that they
22 are all present and they are all able to
23 participate in the discussion. That's simply
24 to listen but to participate, pose questions,
25 make this gentleman aware of their very serious
. . .
83

1 concerns.
2 MR. COURTRIGHT: One other thing if
3 we could -- if we do a caucus I ask Mr. Hubbard
4 and some of the people from his group if we get
5 him to come here for an open caucus a maybe you
6 can get a list of questions from the residents
7 in your area and around that area and maybe you
8 or two people as a representative pose those
9 questions rather than, you know, everybody
10 trying to speak so maybe one or two
11 representatives from your area pose whatever
12 questions you guys have.

13 MS. SUETTA: Why they don't they
14 have like it we had with flood like at Scranton
15 high and all the residents were there?

16 MR. COURTRIGHT: We will see what

17 he's willing to do and what we can accommodate.

18 So I just -- it's just a suggestion. Sorry

19 about that. Go ahead.

20 MR. UNGVARSKY: Good evening, city

21 council, Tom Ungvarsky. I have lived in

22 Scranton all my life. Mrs. Fanucci, perhaps

23 you can explain to me the difference between

24 the City of Scranton challenging Pennsylvania

25 state law and Mr. Chickillo challenging

.

84

1 Scranton's law on smoking. It seems to me as

2 though once again the city council has acted a

3 little prematurely.

4 Also last week I asked for city

5 council to check on the E. M. S. tax. Has

6 anyone done that?

7 MRS. EVANS: I'm sorry. I didn't

8 realize that you wanted us to --

9 MR. UNGVARSKY: Apparently they have

10 not started to send out the returns from last

11 year, and here we are five months into this

12 year. Mrs. Fanucci, can you answer that

13 question for me?

14 MRS. EVANS: Well, you know, I will

15 go down --

16 MR. UNGVARSKY: I'm sorry. I mean

17 the one on smoking.

18 MS. FANUCCI: Okay.

19 MR. UNGVARSKY: The challenge.

20 MS. FANUCCI: I actually can answer

21 what the reasoning was and why we did enact the

22 law. Is that what you are wondering opposed to

23 listening to what the state legislature --

24 MR. UNGVARSKY: What I want to know

25 is why is it wrong for Mr. Chickillo to

85

1 challenge Scranton's law on smoking but not

2 Scranton to challenge Pennsylvania's law on

3 smoking?

4 MS. FANUCCI: I don't believe it's

5 not wrong. Anyone can challenge anything at

6 any time. I don't believe it is wrong for

7 anyone to challenge if that's what they feel

8 they need to do. It's not wrong.

9 That's part of life. If you don't

10 like what is happening, you challenge it. My

11 belief in regards to the smoking ban --

12 MR. UNGVARSKY: What is the

13 difference between Mr. Chickillo challenging

14 and the City of Scranton challenging?

15 MS. FANUCCI: Obviously, there's no

16 difference. I mean --

17 MR. UNGVARSKY: Okay. Thank you.

18 That's what I wanted to know.

19 MS. FANUCCI: I am going to say this

20 on the smoking ban. The reason Attorney Minora

21 did make his decision when we sat down -- we

22 had we had lots of guidance on this. The clean

23 -- the clean air legislation was enacted in

24 1988 or '84. Anyway, when it was enacted it

25 was done so -- to use two separate areas of one

.

86

1 establishment -- one area to be smoke

2 prohibited and the other to say this was where

3 smoking areas were designated and non-smoking

4 areas were designated.

5 That is when this legislation took

6 place. It is definitely a perfect loophole.

7 But the enactment of the act was not to say we

8 can't do this legislation, we cannot -- you
9 know, go against the state. We did it in good
10 intent. I am thrilled we did it. I will stand
11 up for it. You can be upset. You can feel
12 like you were misguided. You certainly weren't
13 misguided. You were taken along the course.
14 That is what we are here to do, which is
15 legislate and move forward.
16 Now, did I feel that I was breaking
17 the law? No. I felt I was challenging
18 something that needed to be challenged just
19 like every week when you get up here and come
20 up with your opinions, your ideas and your
21 sometimes not so pleasant comments. That's
22 what I did.
23 I did it in the best intent for the
24 city, the residents of the city. And I have to
25 say one more thing I was an elected official.

87

1 I did not come here and sit here because I had
2 nothing else to do. The people of this city
3 put me here. So when people get up and they
4 rant and rave about what I did for a living --

5 I was a hair dresser in a family owned business
6 and I was a darn good one.
7 I also am a mother. I was in sales,
8 and I managed 15 counties and brought them into
9 record sales. I have done many, many things in
10 my life. I am a daughter. I'm a
11 granddaughter. I am everything else that I am
12 supposed to be, but I am an elected official.
13 And I am here to represent the people who put
14 me here, whether or not you agree with my
15 ideas.
16 So when we have people come in here
17 like Mr. Patilla and go off on his tangents,
18 which is so non-productive -- it is
19 non-productive for everyone. Listen, Mr.
20 Jacowicz gets up every week. He and I don't
21 agree on one thing. We know it. But he's
22 respectful. He says what he has to say. He
23 says it in a nice manner, and he sits down.
24 But do not come in here spewing venom so that
25 you can get your point across because I am
.

88

1 telling you right now that's what falls on deaf

2 ears.

3 You come in here and you act like a
4 person who is educated and intelligent and
5 state your mind and you leave and hope that we
6 are going to help move this city together. But
7 I am so offended by what took place here today.

8 In fact, I am appalled. We are here
9 together whether you like it or not, and I am
10 not going anywhere until my term is up and then
11 I probably will stay just to aggravate everyone
12 else again. This is where I am, so now we need
13 to move on and try to do what's best for the
14 people who put me here. That is all I have to
15 say. Thank you.

16 MR. COURTRIGHT: Next speaker,
17 please.

18 MR. HUBBARD: Good evening, guys,
19 Daniel Hubbard, lower Green Ridge. A quick
20 couple point you just stated -- just words out
21 of your mouth, deaf ears, I know how that
22 feels. We're one month away from the one year
23 anniversary and not one teaspoon of dirt has
24 been put on the levy and not one damn thing has
25 been done to change what happened last -- what

1 didn't get done last year and the year before
2 that. So deaf ears, I am real -- one year
3 later. D. P. W. is really pulling for us,
4 aren't they? Let's talk about Daron.
5 Obviously, we need to -- has anybody on counsel
6 besides Mr. Courtright and Mrs. Fanucci taken
7 any personal initiative to look into Daron
8 Northeast besides what Mr. Fiorini or Mr.
9 Wallace is going to tell you? Okay. We need
10 to start looking out -- we need to look outside
11 the box.

12 MR. McGOFF: Do you want an answer?

13 MR. HUBBARD: Can you wait until I
14 am almost done? You need to start looking
15 outside the box. We relied on our solicitor's
16 opinion on the smoking ban. And, well, that
17 got us pretty much nowhere, a lot of wasted
18 time, a lot of wasted money and a lot of wasted
19 effort when we have an environmental
20 catastrophe going on right here in the city
21 where residents are truly affected not just
22 when they go out to eat but at their own home.

23 They are not allowed out of their house. They
24 can't leave their houses and do yard work
25 without respirators. Their air conditioners
. .
90

1 are all messed up. Their lives are a disaster,
2 a little bit more important than somebody's
3 comfort in a bar I would think. Let's try and
4 put our efforts that were put on the smoking
5 ban -- let's try to put our efforts towards the
6 clean outdoor air act, and let's come down on
7 some of these companies like Daron Northeast
8 inside the city limits.

9 There's an article back to 2003
10 about Daron Northeast. The back taxes were
11 actually \$746,000 what were forgiven. It is a
12 K. O. Z. property. So the City of Scranton
13 literally lost more than we made on Daron
14 Northeast. So this is not a viable business
15 venture. The article in the paper said today
16 they think they had 30 employees. Are they
17 walking to work because there's only two --
18 three guys running forklifts and about four
19 cars parked at the office. I will go on a limb

20 and say that's Mr. Lewis, probably another
21 office manager and probably the retail operator
22 in the building there. There's really no more
23 than four cars at -- unless all their employees
24 drive dump trucks.

25 The owners of this also -- Ms.

.

91

1 Gatelli is not here. Coincidentally I really
2 appreciated her when I turned to her my -- the
3 president of council for help on this. She
4 told me I'm better off seeking my own actions
5 through a lawyer because that's what they had
6 to do in South Side when the residents of South
7 Side tried to stop Polyhi, the residents of
8 South Side tried to top Polyhi and they fell on
9 the deaf ears of the city, therefore, the
10 residents of South Side had to take their own
11 legal action with Polyhi in South Side.

12 Well, now that Judy is actually a
13 part of the machine that wouldn't give her any
14 help, it's kind of appalling that she's
15 actually in the position to help in this
16 situation and she's not going to do anything

17 except telling me I need to contact a lawyer.
18 This company is operating illegally.
19 We know it. You know it. I know it. If I
20 need to bring Mr. Wallace a Hooked on Phonics
21 version of the zoning book, I will. If I need
22 to sit down and read it to him, I will because
23 these are all violations -- just basic nuisance
24 ordinances in the environmental protection of
25 our zoning code. This is ridiculous.

.

92

1 They are not in compliance. The
2 dust is everywhere. Today was a horrible day
3 down there. They didn't water. I mean, what
4 are we going to do? I mean, not to mention the
5 fact that, you know, coincidentally one of the
6 owners of the realty company that is made up of
7 Mr. Daron, Mr. Keisling, Daniel Shermack, they
8 are the realty company that bought the property
9 and they actually lease the land to themselves
10 they are also the owners of the architectural
11 -- so they are saving on taxes all across the
12 board on this one. I mean, there's a lot of
13 loopholes that they managed to exploit to get

14 this company up and running not to mention Mr.
15 Keisling as far as I know is one of the either
16 former or current owners of Polyhi -- boy, that
17 wheel just keeps turning. It's amazing how
18 these same people can allow and open up
19 businesses in residential areas and torture the
20 residents of this city and nobody gets anything
21 done.

22 I guarantee Mr. Keisling's name will
23 come up on a few contributor's lists going back
24 to 2001. This is ridiculous. So you need to
25 do something. Regardless of what the residents

93

1 are doing on their own, regardless of what
2 legal action the residents are seeking, this is
3 still a city issue. It's a zoning issue. The
4 zoning board -- I mean, I don't have time in
5 five minutes to get into the application
6 requirements they would have to submit just to
7 open this facility that were never submitted,
8 and they opened it.

9 So I really think that we need to
10 start doing this for the residents for once --

11 just for once this year whether it's lower
12 Green Ridge or Daron -- it affects lower Green
13 Ridge as well. Let's do something right
14 something for the people of this city instead
15 of something against them, taking away from
16 them. Let's help them.

17 MR. COURTRIGHT: Thank you.

18 MR. MCGOFF: Mr. Hubbard, I did want
19 to respond to you. I did take a ride down to
20 -- I believe it was Tuesday afternoon -- drove
21 around the area. I did see them watering.

22 MR. HUBBARD: Only in the front
23 though, the entrances -- the immediate front.

24 MR. MCGOFF: I did not go into the

25 --

.

94

1 MR. HUBBARD: You can see in the

2 back where they don't water.

3 MR. MCGOFF: I am telling you what I

4 observed. And I also spoke to a number of

5 residents that were there. It was a nice day.

6 There were some out cutting grass. So I did

7 stop and talk to them.

8 MR. HUBBARD: I hate to take time.
9 But Dickson Avenue is a divided camp on this
10 issue unfortunately. And I know politics
11 really shouldn't come into play into this, but
12 they do. About eight houses on the 1600 block
13 of Dickson had -- are for Mayor Doherty and
14 have openly stated to other residents in that
15 area that they support the mayor, they support
16 Daron because the mayor supports Daron.
17 So I would like to know who you
18 talked to if you could. I can give you the
19 names of the residents who are having their
20 lives seriously affected by this and that are
21 not political about it.

22 MR. COURTRIGHT: Sorry about that.

23 MR. RICHTER: John Richter, West
24 Scranton resident. I am not here to yell and
25 scream and step on anybody's toes. But there

95

1 is a few things I would like to say. First, I
2 will remaind council this is the legislative
3 branch and is separate from the mayor's office.
4 We saw how the last U.S. congress,

5 the legislative branch rubber stamped the
6 executive and how miserably it turned out.
7 Remember your job is to check what the mayor is
8 doing, protect the rights and the citizens.
9 And currently I don't think many of you are
10 doing so. Next, to the mayors and his
11 supporters both in public and on council, they
12 say how much they support parks and recreation.
13 Clover Field in West Scranton on the
14 corner of South Sixth and West Locust is so
15 delapidated. The swings are messed up. And
16 currently the grass is up to your calf. So if
17 somebody can get somebody to take care of that,
18 I would greatly appreciate that. Third, public
19 safety, I would like to commend the Scranton
20 police, Scranton firemen and the crime watch on
21 their outstanding efforts and services.
22 But more needs to be done on -- by
23 this council, by the mayor and by the citizens
24 of Scranton. For the last three years I split
25 my residency between Scranton and State
.

96

1 College, Pennsylvania along with I lived in the

2 mega metropolis of London, England. And it
3 sadly -- I feel safer walking alone in those
4 two cities than I do in Scranton, the place I
5 have lived all of my life and I call home. And
6 that's just very upsetting to me that I feel
7 it's dangerous walking down some streets in
8 Scranton.

9 Lastly, I would really like to
10 commend the junior council. I wish it was
11 around when I was in high school because it
12 really gets the young people in this community
13 -- a lot of people complain that we don't do
14 anything, but they show that they can work
15 together and get something done especially with
16 the smoking ban. I really support this even
17 though it was turned down today.
18 I -- even though it's gone now, I
19 strongly think that the state will enact a
20 smoking ban state wide and businesses all over
21 the state will have to follow it and people
22 won't be complaining people are going to this
23 city -- the whole state will be smoke free. I
24 understand it's your right to smoke, but it's
25 my right. It's everyone's right for healthy

1 air. It's not hard to get up, walk outside and
2 smoke.
3 It's a lot -- it would be a lot more
4 expensive for you to get treated for lung
5 cancer than it is for some of the wages that --
6 people say they are losing. Many of my friends
7 and family work in bars and restaurants and
8 support this ban. They -- they haven't seen a
9 decrease in tips, and they really like the
10 smoking ban. I think the people who support
11 this ban should tell the businesses they
12 frequently visit that they will stop going
13 there if the smoking ban -- if they don't
14 follow -- if they don't cut smoking out of
15 their establishments.
16 I also like call -- everyone to
17 remember the 1920s and the 1930s when President
18 Franklin D. Roosevelt fought for workers'
19 rights, better working conditions and better
20 living conditions that the courts ruled these
21 unconstitutional and the congress states the
22 local governments along with the president

23 worked hard to fight for fair laws and
24 regulations and they won.

25 MR. COURTRIGHT: Thank you. Anyone

98

1 else?

2 MRS. EVANS: Kay, can we send a memo
3 to Mr. Brazil about Clover Field and ask that
4 it be taken care of, please, as soon as
5 possible?

6 MR. COURTRIGHT: Chris, come on up,
7 buddy. I got a gift here for you from your
8 girlfriend. This is a picture of you at the
9 parade on Saturday, right there, buddy.

10 MR. SLEDENZSKI: What girlfriend?

11 Tell me.

12 MR. COURTRIGHT: There's so many of
13 them. Pick one later, and I will tell you.

14 MR. SLEDENZSKI: I want to thank you
15 guys. Janet, I am part of Scranton high, too.
16 Remember that, Janet. Remember that, Billy.

17 Thanks.

18 MR. PIAZZA: James Piazza, Scranton
19 High School. Good evening council. On behalf

20 of the Scranton junior city council, I would
21 like to invite everybody to one of our first
22 park cleanups that are going to take place on
23 June 9th. It's a Saturday -- just encourage
24 everybody to come out and help us clean the
25 playground that we are going to be cleaning.

.

99

1 We did it last year. We are going back to
2 clean it out again. But there will be food and
3 drinks there. And everyone is encouraged to
4 come out an help us make the park clean and
5 beautiful for people to go there and play in.
6 Do you know anything about the medical school,
7 Ms. Evans, that they said they are going to --
8 MRS. EVANS: I don't have any
9 updates for you, James. I think right now all
10 of us are awaiting a decision any day according
11 to the newspaper and Senator Mellow. An
12 announcement was to be made by the end of May.
13 So stay tuned.
14 MR. PIAZZA: I hope it's in
15 Scranton. That's all I know.
16 MRS. EVANS: So I do and so do I

17 believe tens of thousands of others.

18 MR. COURTRIGHT: Thank you.

19 MRS. HUBBARD: Good evening,
20 council, Elizabeth Hubbard, Scranton resident,
21 taxpayer. I have a couple questions. Part of
22 the university agreement for the purchase of
23 the South Side Complex was to be -- they were
24 supposed to build new softball fields.

25 MRS. EVANS: No, it was actually the

100

1 city that was responsible for providing a
2 replacement field. And the University of
3 Scranton, I believe, was going to contribute at
4 least \$100,000 toward the construction of that
5 new field.

6 MRS. HUBBARD: Started construction
7 on it yet?

8 MRS. EVANS: No. It has been in a
9 holding pattern for two years, and that's
10 another issue that I am pursuing.

11 MRS. HUBBARD: My next question, the
12 dog park, could somebody please find out what
13 they are spending \$300,000 on? I would like to

14 know that because to be a dog park is a fence
15 around a field. And unless they are going to
16 have little doggie --

17 MR. COURTRIGHT: Maybe itemized list
18 of what -- what will go in that dog park.

19 MRS. HUBBARD: It seems like a lot
20 of money for fencing.

21 MRS. EVANS: It might include
22 insurance.

23 MRS. HUBBARD: That was my next
24 question. I will make a comment first. I had
25 friends that lived in another city that had a
.

101

1 dog park. And they had a greyhound and they
2 used to regularly take their dog to the park.
3 One day their dog was attacked and torn to
4 shreds by a German Shepard. Now, who is liable
5 in a case like that? If I take my dog there
6 and your dog attacks it -- is the city liable
7 --

8 MRS. EVANS: I don't have the answer
9 to that question, but I am sure that the city
10 has to have coverage for all those parks

11 because individuals are swimming in the pools,
12 walking the trails, et cetera, but I would also
13 imagine that the dog owner would be responsible
14 as well.

15 MRS. HUBBARD: But if you have
16 somebody that doesn't own anything and lives in
17 their car, but yet they have --

18 MR. COURTRIGHT: Mr. Minora?

19 MR. MINORA: Most times -- you're
20 probably right on both accounts. Most times
21 primarily and first would be your homeowner's
22 policy for anybody whose ever had a family
23 member or neighbor that was bitten by a dog
24 that went into a lawsuit, it's generally
25 covered by your homeowner's policy or renter's
.

102

1 policy. If you have a dog that was not on a
2 leash or a dog that bit someone else or damaged
3 some --

4 MRS. HUBBARD: If my dog was
5 attacked, I would be responsible for --

6 MR. MINORA: No.

7 MRS. EVANS: The person who owns the

8 attack dog.

9 MR. MINORA: The person who owns the
10 aggressive dog attacked your dog would be
11 responsible primarily on their homeowner's
12 policy. If they didn't have a homeowner's
13 policy, I think it would be behoove the city to
14 have some type of liability as a back-up.

15 MRS. HUBBARD: Okay. That answers
16 my question kind of. Now, Daron, how many
17 employees are they supposed to have under the
18 K. O. Z.? Is it 30?

19 MS. FANUCCI: I don't think --

20 MRS. HUBBARD: I thought I read they
21 were supposed to have 30 employees. I don't
22 know if that is correct.

23 MS. FANUCCI: It's how much they
24 borrowed.

25 MRS. HUBBARD: Can you find out how

.

103

1 many employees they actually have?

2 MRS. EVANS: I think we can ask that
3 gentleman when he comes for the public caucus.
4 We can pose any and all questions to him. But

5 I do know from having been in contact with
6 several of the residents for many years now
7 since I've been seated on council since there's
8 more than one shift that works at the plant --
9 this begins at about 5 a.m. They told me of
10 deliveries and very loud noises as late as 11
11 and 12:00 at night.

12 So I don't think we are looking at a
13 nine to five facility here. We are looking
14 probably at least two shifts per day.

15 MRS. HUBBARD: They still have to
16 employ a certain number of employees. Now, my
17 next question -- it's a K. O. Z. designation
18 for the business. Do their employees have to
19 pay a wage tax?

20 MR. COURTRIGHT: I don't believe so.
21 I don't believe so. I don't believe so. They
22 are in a K.O.Z. Another suggestion I might
23 make is maybe we pose those questions and give
24 them in advance so when they come they have an
25 in depth answer for us on every question.

.

104

1 MRS. HUBBARD: See, I don't like

2 doing that in advance. I --

3 MR. COURTRIGHT: Why not?

4 MRS. HUBBARD: Because it gives you

5 too much time to give your answers the way you

6 want them to come out.

7 MRS. EVANS: Maybe if we could

8 generate a list of questions regardless, but I

9 don't think that precludes anyone in attendance

10 from posing additional questions because the

11 owner surely should be capable of responding to

12 any and all questions whether they are prepared

13 in advance or posed on the spur of the moment.

14 MRS. HUBBARD: I just have one more

15 quick comment. Everybody is worried about

16 indoor air and second hand smoke and all that

17 stuff. What about all the stores over at the

18 Green Ridge plaza, which is, like, right next

19 door to Daron when all that dust and everything

20 is getting sucked in their through

21 ventillation system? What about their indoor

22 clean air health? You know, there's --

23 MR. COURTRIGHT: We will answer all

24 these questions when they get here. This thing

25 has to come to a head. It's going on too long.

1 MRS. HUBBARD: If you come up with
2 questions, I will come up with a couple of my
3 own.

4 MR. COURTRIGHT: I prefer them from
5 you people that live near there. You feel the
6 pain much more than we do. So I prefer them
7 from you people. That would be great. Thank
8 you. Anyone else?

9 MRS. KRAKE: My name is Nancy Krake.
10 A lot of the issues that speakers spoke about
11 tonight are just as important to me, so I would
12 like to mention several of them.
13 The first time -- not to put you on
14 the spot, Mr. McGoff, but do you remember the
15 comments I made last week? Probably not. And
16 I don't expect Mr. Courtright in general -- or
17 Mrs. Fanucci or Mrs. Evans to remember
18 everything I said last week.
19 And that's exactly the point of why
20 our comments need to be in fourth order. When
21 they are in fourth order, what we have to say
22 can weigh in much more clearly before anyone on

23 council makes a decision. Now, they are at the
24 end. I do not expect anyone to remember next
25 week exactly what any of us have said. Mrs.

.

106

1 Evans, I would like to thank you very much for
2 raising the questions about the budget and the
3 borrowed money I posed last week. But once
4 again, I don't expect you to remember
5 everything either.

6 So that was mentioned by several
7 speakers and I would like to reiterate that.
8 It was always in fourth order and for good
9 reason. I -- one of the issues was about
10 power. I said it before, and I will say it
11 again, power is in the mayor's office and it's
12 at the very desk you sit at. The people who
13 feel powerless and they have no voice are the
14 same people that have caused -- excuse me.
15 They have no voice especially with the Scranton
16 Times, which is supposed to be our watch dog --
17 have caused popularity for the Doherty Deceit
18 web site, the union news newspaper and
19 especially Channel 61 to grow expedientially.

20 It's the only place they are able to
21 be heard. Believe it or not, that's very
22 important to people. The smoking ban, the
23 issue I have with that it appears to me that
24 certain council members, Mrs. Fanucci, Mrs.
25 Gatelli and Mr. McGoff saw this proposed

107

1 student smoking ban as an opportunity to take
2 the focus off their voting for the 26 percent
3 tax increase. It was a political diversionary
4 tactic.

5 It was handled exactly as this
6 administration has handled all the arbitrations
7 and lawsuits with the deep pockets of the
8 taxpayers at their disposal and absolutely no
9 regard as to what is true and/or what is legal.
10 If this were in fourth order, I would like to
11 ask council to make a motion to remove our
12 distressed status and get rid of the
13 Pennsylvania Economy League. If someone can
14 possibly remember that for next week, I would
15 appreciate it. My reason in saying this is
16 this Wednesday police and fire met with state

17 legislators to listen and to give testimony
18 concerning Act 47.
19 Act 47 is in trouble everywhere.
20 The state doesn't even like Act 47. The mayor
21 went down to testify for Act 47, our mayor.
22 The Pennsylvania Economy League testified.
23 They testified that in spite of declining
24 population in our cities the need for public
25 safety, fire and police, continues to grow.

.

108

1 That's not hard to imagine why. The
2 gentleman that attended that I am sure will be
3 here to speak more on that. This is in direct
4 contradiction to Mr. Doherty's plan to
5 drastically cut fire protection. The mayor
6 eliminated 30 percent of the clerical workers.
7 He did not give anyone a tax break. He used
8 that money to pay middle management raises and
9 increased middle management jobs. He also used
10 700,000 -- we are up to that now. We just
11 heard that from our pension managers -- for the
12 clerical pension for the next 20 years. That
13 comes right out of the budget, not from any

14 contributions of the members. That's because
15 he forced people out the door.

16 He has no regard for you or for any
17 of us with Act 47. Thank you.

18 MS. SHUMACHER: Marie Shumacher. I
19 am here tonight to pick up where I left off
20 last week which was a series of questions,
21 hopefully some answers tonight and with one
22 exception -- and that is on tonight's agenda
23 item 4 B. I would recommend and ask that you
24 take no action with respect to the partnership
25 of Edmond and Chris Pisano until the lien has
.

109

1 been issued against that property for the
2 demolition of those two structures, the removal
3 of the trees and the leveling of that property.

4 That's right out of our taxpayer pockets.

5 It's wrong, and I believe it's even

6 illegal. But we don't need to go there. But I

7 would suggest that until that lien is placed

8 nothing be done although I must admit, too, I

9 don't understand what the intent of 4 B. is.

10 It's Greek to me. Maybe I can get some more

11 information what a mortgage subordination
12 agreement in favor of First National Community
13 Bank is.
14 Now, back to my questions, No. 1,
15 I've asked this many times, no answers. Does
16 anybody have any idea when the quarter of a
17 million dollar improvement to Robinson Park
18 promised in 2003 and funded per the mayor with
19 the 2002 bond issue will -- when those
20 improvements be made? Okay.
21 Next question, is there a set
22 schedule for the parking authority to make
23 transfers from their Fidelity account to the
24 city's P.N.C. general account and if so what
25 months are these transfers made?
.

110

1 MRS. EVANS: That I don't know, but
2 I can find that answer for you. If you would
3 stay after a moment so I can jot that down.
4 MS. SHUMACHER: Absolutely. And
5 then I would like to know if the council has
6 ever discussed asking the governor to remove P.
7 E. L. I think we suffered long enough.

8 They've had ample time to make progress in this
9 city. If anything, we've gone the wrong
10 direction, and I think it's time -- I started
11 one night. And I believe Mrs. Fanucci said her
12 niece or cousin or some relative is involved
13 with another option down in the City of
14 Philadelphia for a watch dog group.
15 I will bring that clipping next
16 week, but they have something else that seems
17 maybe more effective. It's time to try
18 something different in my opinion because P. E.
19 L. has done nothing but suck up taxpayer
20 dollars. Next, has the council as a body
21 officially asked Pennsylvania American Water
22 Company in addition to those two dummy fire
23 hydrants they are going to provide to color
24 code the hydrants that indicate flow that may
25 have changed the -- the situation up on

.

111

1 Stafford Avenue and god knows how many other
2 locations throughout the city?
3 MR. COURTRIGHT: I don't think the
4 council has asked that. Council --

5 MRS. EVANS: A letter -- the evening
6 that Mr. Schreiber addressed council I asked
7 that a letter be sent to American Water
8 Services requesting a response to that
9 situation, and my hope is that we can rectify
10 this. I know that it would be a long and
11 expensive process to alter the water pressure
12 water flow, but we certainly can color code --
13 MS. SHUMACHER: You said five
14 minutes. I didn't mean to -- I do want the
15 answers, but if a letter is going out -- I
16 believe that was just last week so hopefully --
17 MRS. GARVEY: It didn't go out yet,
18 but it is.
19 MS. SHUMACHER: Okay. Next, the
20 2008 budget, when will we learn more about what
21 is anticipated and what you all are going to do
22 with respect to the 2008 budget?
23 MR. COURTRIGHT: We won't be able to
24 give you information until we receive it.
25 MS. SHUMACHER: You are going to do
.

112

1 business as usual and wait for the mayor's

2 budget and then it will get ram rodded through?

3 MR. COURTRIGHT: What would you like

4 us to do?

5 MS. SHUMACHER: I would like you to

6 start going through this year's budget.

7 MR. COURTRIGHT: We have done that

8 every year since I have been on council. We

9 have done that. We never have the votes to get

10 implemented the budget that we tried for.

11 MS. SHUMACHER: You can start going

12 through. Instead of taking that month of

13 August off, we can start looking line item by

14 line item -- for instance, the revenue on the

15 parking lots, do we know the detail behind

16 that? How many parking lots are there, and how

17 many spaces and are we, in fact, getting all of

18 that revenue? Line by line, what is the detail

19 behind each of those and is it appropriate, are

20 some people getting left off the hook where we

21 could have more revenue, are there spending

22 cuts?

23 I just -- I think now is the -- this

24 year's budget with respect to what should --

25 what you should anticipate for 2008. And if

1 need be, you can even include some of the
2 citizens and the employees. Employers are
3 always the best source. I worked in private
4 industry for a long time, and I know what the
5 consultants do. They come in.
6 They know the answers that are
7 solicited, but they also go and interview the
8 employees and get all the good ideas from the
9 employees and submit those. And my final
10 question because I am running out of time is
11 how many of you have taken the time to read the
12 final executive report prepared by Tripp Umbuck
13 as the feasibility study for the proposed
14 medical college of Northeastern Pennsylvania?
15 Okay.

16 I would suggest you do that if I
17 may. I would like to read one quote from the
18 --

19 MR. COURTRIGHT: I think you are
20 going to have to come back next week with that
21 one.

22 MS. SHUMACHER: They are looking to

23 you for money and the county. I am not sure we
24 can afford them. So I think an open hearing
25 would be wonderful. Thank you.

114

1 MR. TALIMINI: Joe Talimini. I have
2 a couple short items. No. 1, Mr. Courtright,
3 as you know, we have had again with the last
4 fire I think we had problems with barricades
5 but they did --

6 MR. COURTRIGHT: I can address that
7 if you would like an answer. I spoke with
8 Director Hayes this week, and he's going to
9 look into it. We did have -- we did have many,
10 many, many horses available when the
11 presidential election had come here. D. P. W.
12 put together many of them. They've somehow
13 disappeared. I thought who would steal a
14 horse.

15 So they are gone. I guess that was
16 their concern. And when I said to Director
17 Hayes is what I said here is that if we were to
18 leave the key at the police department, I think
19 they are trustworthy enough for that. He will

20 look into that.

21 MR. TALIMINI: With the amount of
22 money the city spends I think we can afford to
23 spend two bucks if somebody would have one.

24 MR. COURTRIGHT: That's our hope
25 they leave one at the police station.

.

115

1 MR. TALIMINI: With regards to the
2 smoking ordinance, I am impressed with the fact
3 Representative Shimkus is going to take this
4 issue up because I haven't seen him in town at
5 all. I doubt very much if any you people have
6 been in any of the restaurants or any of the
7 bars in town to see what is going on. I am in
8 favor or repealing this ban. That's No. 1.
9 I think it's amazing that Mr.
10 Shimkus comes out of the woodwork all of a
11 sudden now. I haven't seen him around town at
12 all. If you people get out and go see what
13 these people are up against -- I mean I go to
14 Chick's diner all the time. I've been smoking
15 there on a regular basis. I will continue to
16 do so.

17 On election night, as you know, Mr.
18 Courtright, I went all over the place, went to
19 all the parties. I was down Whistles. These
20 people are hurting business-wise. I don't care
21 what you people think. It's a fact. If you go
22 out and look for yourselves, it's hurting them.
23 It's hurting their business. I talked to
24 waitresses up there who are leaving their jobs
25 because they couldn't afford to pay \$600 a

116

1 month rent, support two kids and pay child
2 support in some cases and also to pay for day
3 care.
4 They are just not making the bucks
5 all because of this stupidity involved in this
6 smoking ordinance which you people knew was
7 illegal to begin with.
8 So, you know, it's a thing you can
9 sit here with your hands crossed and say this
10 is great, be politically correct as much as you
11 want to. In the meantime you are hurting the
12 people you are supposed to be representing.
13 That goes for Mr. Shimkus. I hope he watches

14 this thing so he gets the message.
15 Thirdly, again I want to thank you
16 for what we are doing for Jonathan Closs. This
17 is a very positive thing, and the tickets are
18 now available \$15 apiece. It's on June 23rd,
19 Lackawanna College. It's a very worthy cause.
20 So I ask all you people on council. We have
21 the tickets in. They are in. We expect to see
22 you, \$15 bucks a head. Thank you very much.
23 MR. COURTRIGHT: Thank you. Nelson,
24 did you turn that phone off?

25 MR. ANCHERANI: Nelson Ancherani,
.

117

1 resident and taxpayer, city employee and
2 financial secretary of the F. O. P. Ms.
3 Fanucci, from where I was standing in the back
4 I thought you were talking to me before.
5 Believe me. I share your pain. The
6 callus on my forehead is from butting my head
7 against the wall because we get nothing --
8 nowhere no matter what we say. We get nowhere.
9 And just remember, we speakers have been called
10 at least close to 30 names by councilpersons,

11 by an attorney, the mayor and the slimes. We
12 keep coming back. You can say we are gluttons
13 for punishment.
14 I am not a smoker anyway. So I am
15 not defending the smoking ban. I'm not opposed
16 to the smoking ban. I believe a smoking ban
17 would be a good thing, but I believe that has
18 to be enacted fairly and legally. The ban that
19 city council passed in my was opinion not
20 researched thoroughly.

21 I believe it was ram rodded through
22 to passage as a smoke screen to divert our
23 attention away from the 25 percent tax hike
24 that was voted for by Ms. Gatelli, Ms. Fanucci,
25 and Mr. McGoff. I believe it was a smoke
.

118

1 screen to divert our attention away from the 77
2 and a half million record Scranton city budget
3 and the approximately \$300 million long term
4 debt.

5 I believe it was a smoke screen to
6 divert attention away from the ten million loan
7 and the 14 and a half million tax anticipation

8 notes. The 77 and a half million city budget,
9 the 10 million loan and the and 14 and a half
10 million tax anticipation notes were also passed
11 by Ms. Gatelli, Ms. Fanucci and Mr. McGoff.
12 This smoke screen in the form of the
13 smoking ban could turn out to be a great
14 expense for the city taxpayers. It was pushed
15 through at great speed. Even though Ms. Evans
16 voiced her concern about its legality to
17 Attorney Minora, I can only hope that Mr.
18 Minora researched its legality thoroughly
19 before he gave his opinion that it was legal.
20 Had counsel heeded Ms. Evans'
21 concerns, the city would have waited five
22 months until these appeals in and Erie and
23 Allegheny counties came out with their
24 opinions. They could have pushed the state to
25 enact theirs.

.

119

1 Over the last five to six months
2 restaurants and bars in the city lost revenues
3 and business because of the ban. Not only have
4 the businesses lost money, but so did the

5 waitress and servers, loss of tips and
6 business. I seriously hope that the four
7 councilpersons who voted for the ban hope that
8 no more of the businesses besides Chick's and
9 Whistle's sue the city over lost revenues.
10 Chick's was cited or arrested, whichever you
11 way want to look at it. They received adverse
12 publicity and lost much in revenues.
13 Waitresses and servers lost revenues
14 in tips. Chick's owners had to endure the
15 humility of going through a court hearing,
16 magistrate's hearing and then the publicity
17 sounding that. I hope all the business owners
18 who lost revenue in business don't ban together
19 in a class action lawsuit, and I hope the
20 waitresses and servers who also lost revenue
21 don't start lawsuits against the city because
22 if they do, it will be the taxpayers who again
23 are stuck with the bills especially when the
24 city council passed a ban that was questionably
25 illegal right from the start.

.

120

1 That's my opinion. Mr. Minora

2 should have researched more thoroughly
3 especially in question of the opposition and
4 the question on the legality of the ban. A
5 great disservice was done to the taxpayers of
6 this city when they possibly have to pay the
7 lawsuit losses and even greater disservice was
8 done to Chick's and Whistle's over the
9 citations that were issued to them and threats
10 of \$300 a day in fines. It is embarrassing to
11 them to say the least.

12 I have to ask one more thing, Mr.
13 Courtright. Did you know that two patrol
14 officers were pulled from the shifts tonight to
15 put them up at the tree house, the area of the
16 tree house?

17 MR. COURTRIGHT: I wasn't aware of
18 that, Nelson.

19 MR. ANCHERANI: Two police officers
20 were pulled from the shift to be put up at the
21 tree house. And the afternoon shifts just so
22 everybody knows, that is the busiest shift.

23 Thank you.

24 MR. COURTRIGHT: Thank you, Nelson.

25 MRS. EVANS: Mr. Courtright, I was

121

1 asked by a junior council member to announce
2 that the park clean up -- the Dorothy Park
3 street clean-up will begin 9 a.m. on Saturday
4 June 9th. And, Ms. Shumacher, I would like to
5 get that information from you. But I also can
6 explain 4 B.

7 MR. COURTRIGHT: Before we close
8 here, real quick, the first two years I sat on
9 this council, we had that bell system and I
10 don't know how we did away with the bell
11 system, but I would hope that maybe for the
12 next week the rest of the council members agree
13 -- I think it seems a little bit better with
14 the bell rather than yelling out time. If we
15 can keep that I would appreciate it. Motion to
16 adjourn?

17 MS. FANUCCI: Second.

18 MR. COURTRIGHT: We're adjourned.

19 Thank you.

20

21

22

23

24

25

.

122

1

2

3 C E R T I F I C A T E

4

5 I hereby certify that the proceedings and

6 evidence are contained fully and accurately in the

7 notes taken by me on the council meeting of the above

8 cause and that this copy is a correct transcript of the

9 same.

10

11

12

13

Laura Boyanowski, RPR

14 Official Court Reporter

15

16

17

18

19

20

21

22

23

24

25